Page 1 of 3

EXECUTIVE SUMMARY - ENFORCEMENT MATTER

DOCKET NO.: 2007-1813-MLM-E TCEQ ID NOS: RN100211663 AND RN100238385 CASE NO.: 34927 RESPONDENT NAME: VALERO REFINING-TEXAS, L.P.

ORDER TYPE:		
1660 AGREED ORDER	<u>X</u> FINDINGS AGREED ORDER	FINDINGS ORDER FOLLOWING SOAH HEARING
FINDINGS DEFAULT ORDER	SHUTDOWN ORDER	IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
AMENDED ORDER	EMERGENCY ORDER	
CASE TYPE:		
_X_AIR	X_MULTI-MEDIA (check all that apply)	X INDUSTRIAL HAZARDOUS WASTE
PUBLIC WATER SUPPLY	PETROLEUM STORAGE TANKS	OCCUPATIONAL CERTIFICATION
X WATER QUALITY	SEWAGE SLUDGE	UNDERGROUND INJECTION CONTROL
MUNICIPAL SOLID WASTE	RADIOACTIVE WASTE	DRY CLEANER REGISTRATION
TYPE OF OPERATION: oil/petroleum ref SMALL BUSINESS: Yes X		ity, Galveston County
	t actions at Plant 2 (2007-1413-AIR-E; 2009-04	
INTERESTED PARTIES: No one other tha	an the ED and the Respondent expressed an inte	erest in this matter.
COMMENTS RECEIVED: The Texas Regi	ister comment period expired July 20, 2009. N	o comments were received.
Ms. Lena Robert SEP Coordinator: Ms. Sharon Blu TCEQ Enforcement Coordinator: TCEQ Regional Contact: Mr. Dav Mr. Bra Mr. Dav Ms. Lin	outwell, Litigation Division, MC 175, (512) 23 s, Litigation Division, MC 175, (512) 239-0019 e, Litigation Division MC 175, (512) 239-2223 s Mr. Michael Meyer, Waste Enforcement Sectivid Turner, Corpus Christi Regional Office, MC d Genzer, Corpus Christi Regional Office, MC vid Kennebeck, Corpus Christi Regional Office, da Vasse, Houston Regional Office, MC R-12 (s, L.P., One Valero Way, San Antonio, Texas	9 ion, MC 128, (512) 239-4492 C R-14 (361) 825-3100 R-14 (361) 825-3100 , MC R-14 (361) 825-3100 (713) 767-3500
Respondent's Attorney: Mr. Parke	er Wilson, Attorney, Valero Energy Corporation	

RESPONDENT NAME: VALERO REFINING-TEXAS, L.P.

DOCKET NO.: 2007-1813-MLM-E

VIOLATION SUMMARY CHART: VIOLATION INFORMATION Type of Investigation: Complaint Routine Enforcement Follow-up X Records Review Date of Complaint Relating to this Case: None Dates of Investigation Relating to this Case: Plant 1: July 6, 2007; May 27, 2008; June 20, 2008 Plant 2: March 12, 2007; March 28, 2007; May 23, 2007 Dates of NOEs Relating to this Case: March 31, 2007; April 4, 2007; May 3, 2007; June 1, 2007; October 3, 2007; May 31, 2008; June 17, 2008; August 5, 2008 Background Facts: This case consists of three separate cases consolidated into one. The EDPRPs for TCEQ Docket Nos. 2007-1813-MLM-E and 2007-0603-AIR-E were each filed on October 30, 2008. TCEQ Docket No. 2008-1002-AIR-E was consolidated with the other two cases under the TCEQ

Current Compliance Status:

Not yet in compliance.

signed on May 7, 2009.

MLM:

Plant 1:

1. Failed to prevent the unauthorized discharge and accumulation of untreated hazardous wastewater on the ground [30 Tex. ADMIN. CODE §§ 335.4 and 335.43(a); and Tex. Water Code § 26.121(a)].

Docket No. 2007-1813-MLM-E. An Agreed Order was

- 2. Failed to comply with hazardous waste tank requirements including, but not limited to, the structural integrity of the tank, compatibility with the waste(s) being stored and corrosion protection [30 Tex. ADMIN. CODE § 335.69(a)(1)(B)].
- 3. Failed to maintain compliance with the emission limits. Specifically, stack testing of the fluidized catalytic cracking unit ("FCCU") Regenerator/CO Boiler Stack (EPN 12-CO-STK) conducted on August 15, 2007 and February 14, 2008 indicated particulate matter emissions of 1.08 and 1.23 lbs per 1,000 lbs of coke burn-off, respectively, with a permit limit of one lb per 1,000 lbs of coke burn-off [30 Tex. Admin. Code §§ 101.20(3) and 116.715(a), Tex. Health & Safety Code § 382.085(b), and Air Permit Nos. PSD-TX-1023M1 and 2937, Special Condition 18].

PENALTY CONSIDERATIONS

Total Assessed: \$108,900

Total Deferred: \$54,450

- ___ Expedited Order
- Financial Inability to Pay
- X SEP Conditional Offset

Total Paid to General Revenue: \$54,450

The Respondent paid \$54,450 of the assessed penalty. The remaining amount of \$54,450 shall be conditionally offset by the completion of a Supplemental Environmental Project (SEP).

Plant 1:

Site Compliance History Classification

__ High _X Average ___ Poor

Person Compliance History Classification High X Average Poor

Major Source: X Yes ___ No

Plant 2

Site Compliance History Classification

__High X Average __Poor

Person Compliance History Classification High X Average Poor

Major Source: X Yes No

Applicable Penalty Policy: September 2002

Findings Order Justification:

Violation no. 1 at Plant 2 involves an emission or discharge of contaminants to the environment or other actions meeting the following criteria: People and environmental receptors have been exposed to pollutants which exceed levels that are protective.

CORRECTIVE ACTIONS TAKEN/REQUIRED

Corrective Actions Taken:

The Executive Director recognizes that the Respondent implemented the following corrective measures at Plant 2:

- 1. Installed an external maintenance bypass on the Uninterruptible Power Supply ("UPS") on December 13, 2006, enhanced labeling on the panel UPS schematic and switches on December 31, 2006, installed a backup power connection on December 15, 2006, and implemented a practice of performing job reviews prior to performing preventative any maintenance on the UPS on December 31, 2006, for the purpose of preventing the recurrence of emissions events due to the same cause as the December 11, 2006 emissions event:
- 2. On February 15,2 2007 Valero completed installation of a methanol injection system to prevent the formation of hydrates in the deethanizer overhead line, for the purpose of preventing the recurrence of emissions events due to the same cause as the January 19, 2007 and January 28, 2007 emissions events; and
- 3. On March 10, 2007 Valero completed adjustments to the internal relief valve settings on the methanol injection pump, for the purpose of preventing the recurrence of emissions events due to the same cause as the March 4, 2004 emissions event.

Ordering Provision(s):

The Respondent shall undertake the following technical requirements at Plant 1:

- Implement and complete a Supplemental Environmental Project (SEP) (See SEP Attachment A).
- Within 30 days, submit a letter to TCEQ indicating the manner in which Tank 100 will be used as:
 - a. A product tank;
 - b. Part of the wastewater treatment unit; or
 - c. A hazardous waste management unit.

RESPONDENT NAME: VALERO REFINING-TEXAS, L.P.

DOCKET NO.: 2007-1813-MLM-E VIOLATION SUMMARY CHART: CORRECTIVE ACTIONS PENALTY CONSIDERATIONS VIOLATION INFORMATION TAKEN/REQUIRED ::: Plant 2: Within 60 days: 1. Failed to prevent unauthorized emissions during a a. In the event that Tank 100 is to be December 11, 2006 emissions event in the Toppers Unit. used as part of the wastewater No. 3 Crude Unit, FCCU, Alkylation Unit, Utilities Unit, treatment system, update the Facility's and the Delayed Coker Unit. Specifically, during the December 11, 2006, emissions event the following Notice of Registration to reflect the status of Tank 100 as part of the unauthorized emissions were released from the Alkylation wastewater treatment system. Unit and the No. 1, 2, 3, and 4 Flare Stacks over a period of 33 hours and 30 minutes: 18,329 pounds ("lbs") of sulfur dioxide, 11.798 lbs of volatile organic compounds, and b. In the event that Tank 100 is to be 6.229.90 lbs of carbon monoxide. Since the emissions used as a hazardous waste event was avoidable, the Respondent was unable to meet management unit, submit a plan and the demonstration criteria for an affirmative defense under schedule for upgrading Tank 100 to 30 Tex. Admin. Code § 101.222 [30 Tex. Admin. Code comply with the tank requirements of § 116.715(a); Air Permit No. 39142, Special Condition No. 40 CFR, Subpart J - Tank Systems. 1; and Tex. Health & Safety Code § 382.085(b)]. 2. Failed to prevent unauthorized emissions during a c. In the event that Tank 100 is to be January 19, 2007 emissions event in the FCCU. used as a product tank, submit written Specifically, during the January 19, 2007, emissions event certification that all hazardous waste 8.844.40 lbs of unauthorized sulfur dioxide emissions were has been removed from Tank 100 and released form Drum D-157 over a period of two hours. disposed of properly: Since the emissions event was avoidable, the Respondent was unable to meet the demonstration criteria for an affirmative defense under 30 Tex. ADMIN. CODE § 101.222 Within 75 days, submit written [30 Tex. ADMIN. CODE § 116.715(a); Air Permit No. 39142, certification demonstrate and Special Condition No. 1; and Tex. Health & Safety Code compliance with Ordering Provision § 382.085(b)]. Nos. 1 and 2. 3. Failed to prevent unauthorized emissions during a January 28, 2007 emissions event in the Saturates Gas Plant. Specifically, during the January 28, 2007, emissions event the following unauthorized emissions were released from Drum-465 over a period of 11 hours and 15 minutes: 8,876.20 lbs of sulfur dioxide and 354.90 lbs of propane. Since the emissions event was avoidable, the Respondent was unable to meet the demonstration criteria for an affirmative defense under 30 Tex. ADMIN. CODE § 101.222 [30 Tex. ADMIN. CODE § 116.715(a); Air Permit No. 39142, Special Condition No. 1; and Tex. Health & Safety Code § 382.085(b)]. 4. Failed to prevent unauthorized emissions during a March 4, 2007 emissions event in the Sats Gas Unit. Specifically, during the March 4, 2007, emissions event the following unauthorized emissions from Flare Nos. 2 and 3 over a period of 17 hours and 44 minutes: 10,139.40 lbs of sulfur dioxide, 984.80 lbs of carbon monoxide, 476.10 lbs of propane, 122.70 lbs of nitrogen monoxide, 109.90 lbs of hydrogen sulfide, 81.20 lbs of butane, 56.70 lbs of isopentane, 53.80 lbs of ethylene, 10.6 lbs of nitrogen dioxide, 5.6 lbs of butane, and 2.9 lbs of trans-2-butene. Since the emissions event was avoidable, the Respondent was unable to meet the demonstration criteria for an affirmative defense under 30 Tex. ADMIN. CODE § 101.222 [30 Tex. ADMIN. CODE § 116.715(a); Air Permit No. 39142, Special Condition No. 1; Tex. Health & Safety Code

§ 382.085(b)].

Attachment A Docket Number: 2007-1813-MLM-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:

Valero Refining-Texas, L.P.

Penalty Amount:

One hundred and eight thousand nine hundred dollars (\$108,900)

SEP Offset Amount:

Fifty-four thousand four hundred and fifty dollars (\$54,450)

Type of SEP:

Pre-approved

Third-Party Recipient:

Keep Texas Beautiful Texas Waterways Cleanup Program

Location of SEP:

Galveston County

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset the administrative Penalty Amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Offset Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

A. Project

The Respondent shall contribute the SEP Offset Amount to the Third-Party Recipient named above. The contribution will be to *Keep Texas Beautiful* for the *Texas Waterways Cleanup* project in Galveston County as set forth in an agreement between the Third-Party Recipient and the TCEQ. Specifically, SEP funds will pay for the labor and disposal costs associated with cleanup of waterways, by supplying project coordination, labor, supplies, and materials. SEP funds shall be limited to the actual direct costs for the specific purposes necessary to meet the requirements of the SEP and no portion of the SEP funds will be spent on administrative costs. Cleanups may be coordinated with waste collection facilities and/or local governments to employ heavy machinery for the removal of large waste items. To the maximum extent possible, cleanups shall be accomplished with the use of volunteers from community groups, private companies, schools, and youth organizations. SEP Funds may be used for activities. This project will be administered in accordance with federal, state, and local environmental laws and regulations.

The Respondent certifies that there is no prior commitment to do this project and that it is being performed solely in an effort to settle this enforcement action.

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by removing unauthorized trash dumps and providing for the proper disposal of debris and waste, reducing the potential health threats associated with illegally dumped wastes, helping rid communities of hazardous contaminants that may leach into the soil and water.

C. Minimum Expenditure

The Respondent shall contribute at least the SEP Offset Amount to the Third-Party Recipient and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Offset Amount to the Third-Party Recipient. The Respondent shall mail a copy of the Agreed Order with the contribution to:

Keep Texas Beautiful Attention: Anne Cunic, Affiliate Services Manager 1524 South IH-35, Suite 150 Austin, Texas 78704 P.O. Box 2251 Austin, Texas 78768

3. Records and Reporting

Concurrent with the payment of the SEP Offset Amount, the Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Offset Amount to the Third-Party Recipient. The Respondent shall mail a copy of the check and transmittal letter to:

Litigation Division Attention: SEP Coordinator, MC 175 Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP Offset Amount and submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the SEP Offset Amount. In the event of incomplete performance, the Respondent shall submit a check for any remaining amount due made payable to "Texas Commission on Environmental Quality" with the notation "SEP Refund" and the docket number of the case, and shall send it to:

Texas Commission on Environmental Quality Office of Legal Services Attention: SEP Coordinator, MC 175 P.O. Box 13088 Austin, Texas 78711-3088 Valero Refining-Texas, L.P. Agreed Order Docket No. 2007-1813-MLM-E Attachment A

5. Publicity

Any public statements concerning this SEP made by or on behalf of the Respondent must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

6. Clean Texas Program

The Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP identified in this Agreed Order has not been, and shall not be, included as a SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.

Penalty Calculation v	· · · · · · · · · · · · · · · · · · ·	/ Boydnian Navarah 0 0007
Policy Revision 2 (September 2002)	PCV	/ Revision November 6, 2007
DATES Assigned 15-Oct-2007 Screening 17-Nov-2007 E	PA Due	
RESPONDENT/FACILITY/INFORMATION		
Respondent Valero Refining-Texas, L.P.	attorner in the second of the	
Reg. Ent. Ref. No. RN100211663 Facility/Site Region 14-Corpus Christi	Major/Minor Source Major	ologyti, a slave og
AND THE RESERVE OF THE PROPERTY OF THE PROPERT		The state of the s
CASE INFORMATION Enf./Case ID No. 34927		
Docket No. 2007-1813-MLM-E	Order Type 1660	
Media Program(s) Industrial and Hazardous Waste Multi-Media Water Quality	Enf. Coordinator Michael Mey EC's Team Enforcement	Team 7
	0,000	
Penalty Calculation	n Section	
·	Subtotal	\$15,000
TOTAL BASE PENALTY (Sum of violation base penalties)	AIRIOLONG CONTRACTOR AND ACTUAL CONTRACTOR C	φ10,000
ADJUSTMENTS (+/-) TO SUBTOTAL 1. Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the in	dicated percentage	
Compliance History 132% Enhance	ancement Subtotals 2, 3, &	\$19,800
At this Facility, the Respondent had three NOV	s for similar violations,	
Notes 11 NOVs for dissimilar violations, two 1660 order and one Court Order within the past		
and one count order within the past	ALL AND	
Culpability No 0% Enh	ancement Subtotal e	\$0
Notes The Respondent does not meet the cult	pability criteria.	
A STATE OF THE PROPERTY OF THE	duction Subtotal:	\$0
Before NOV NOV to EDPRP/Settlement Offer Extraordinary		
Ordinary		
N/A (mark with x)		
Notes The Respondent does not meet the goo	о тапп спепа.	
0%∈Enha	ncement* Subtotal	\$0
	Total EB \$ Amount	
PROPERTY OF A CONTROL OF THE PROPERTY AND		22
SUM OF SUBTOTALS 1-7	Final Subtota	\$34,800
OTHER FACTORS AS JUSTICE MAY REQUIRE	0% Adjustmen	<i>t</i> \$0
Reduces or enhances the Final Subtotal by the indicated percentage.	and the same to the same transmitted that the same transmitted that the same transmitted to the same t	
Notes		
AND MARKAGEMENT OF THE SEASON	Einal Danalds Annass	t \$34,800
	Final Penalty Amoun	\$34,800
STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalt	y \$34,800
DEFEDRAL	.0% Reduction Adjustmen	\$34,800
DEFERRAL Reduces the Final Assessed Penalty by the indicted percentage. (Enter number only; e.g. 20 f		Ψ0-7,000
Definition of the second secon	settlement	
Notes Deferral not offered for non-expedited	1 Serietieir	
PAYABLE PENALTY		\$34,800

Screening Date 17-Nov-2007

Docket No. 2007-1813-MLM-E

PCW.

Respondent Valero Refining-Texas, L.P.

Case ID No. 34927

Policy Revision 2 (September 2002)

PCW Revision November 6, 2007

Reg. Ent. Reference No. RN100211663

Media [Statute] Industrial and Hazardous Waste

Enf. Coordinator Michael Meyer

Component	/ Site Enhancement (Subtotal 2) Number of	Enter Number Here	Adjust.	
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	3	15%	14
	Other written NOVs	A 4 0 11 45 14	22%	Ī
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	2	40%	-
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission		25%	•
Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	1	30%	١
and Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government		0%	
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%	
Emissions	Chronic excessive emissions events (number of events)	0	0%	
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%	
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%	
	Plea	se Enter Yes or No		
	Environmental management systems in place for one year or more	No	0%	
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%	
Calci	Participation in a voluntary pollution reduction program	No	0%	
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%	
	Adjustment F	ercentage (Su	ıbtotal 2)	•
at Violator (Su	btotal 3)			
No.	Adiustment F	ercentage (Su	btotal 3)	
500 100 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0				
pliance Histor	/ Person Classification (Subtotal 7)			1999
Average P	erformer Adjustment F	Percentage (Su	ıbtotal 7)	
pliance Histor	Summary		en.	1
Compliance History Notes	At this Facility, the Respondent had three NOVs for similar violations, 11 NOVs for dissimila 1660 orders, one Findings Order and one Court Order within the past five year			

Screening Date	17-Nov-2007	Dock	et No. 2007-1813-MLM-E		#PCW
不是是在1966年,1976年,1976年,1986年,1986年,1986年,1986年,1986年,1986年,1986年,1986年,1986年,1986年	Valero Refining-Texas, L	.P.		Policy Revision	2 (September 2002)
Case ID No.		•		PCW Revisio	n November 6, 2007
Reg. Ent. Reference No.					
	Industrial and Hazardous	Waste			
Enf. Coordinator Violation Number					
Rule Cite(s)		26:121(a) and Tay A	dmin. Code §§ 335.4 and 3	35:43/5)	
Kule Cite(3)	rex. Water Code 9:	20.121(a) and 16x. A	diffin. Code 33 000.4 and o	55.45(a)	
Violation Description	wastewater on the ground 2007. Specifically, untre 109 was discharged into of a sample collected from wastewater exhibited the concentration of 2.2 m from Tank 109 to Tank	d, as documented du lated industrial waste on earthen containing om the interceptor Tr he toxicity characteri illigrams per liter. Als 100 which overflowe	and accumulation of untreate ring an investigation conduct water and contact storm water ent area surrounding the tar ench flowing into Tank 109 in stic for benzene (D018) with or the Respondent diverted to d the tank and mixed with ac ment area surrounding Tank	ed on July 6, er from Tank nk. Analysis ndicated the a benzene wastewater comulated	
			E	Base Penalty	\$10,000
>> Environmental, Property a	nosaumansaeaimsivi Harm	aunx			
Release	Major Moderate	Minor			
OR . Actual	X	E 225 5 62 2 7 2 5	·	==1	
Potential			Percent 50	<u>%</u>]	
>>Programmatic Matrix					
Falsification	Major Moderate	Minor	2230000		
			Percent 0	%	
() in a single part of the latest the lates	and the same and the same and the same and the same	remoti e presenta antigare e se e e e e e e e e e e e e e e e	**************************************	Summurayayane (2)	
Matrix Human heal			ignificant amounts of pollutar	nts which do	
Notes	no	t exceed protective le	vels.		
	ing ang kang kang dan dan merupakan dan kang dan dan kang dan dan kang dan	and the second s	5.77.110.2.162.21.22.204.2.3.2013.2013.2013.202.202	hite a afternoon think and	
A STATE OF THE STA			Adjustment	\$5,000	
		•			\$5,000
				l	Ψο,σσσ
Violation Events					
			402 (Section 1)	dove	.]
Number of Vic	olation Events 2		Number of violation	days	
	Z daily W				
	monthly			<u> </u>	
mark only one	quarterly	<u> </u>	Violation E	Base Penalty	\$10,000
with an x	semiannual annual	<u></u>			
	single event x				
	News Service Court				
Two events	s (one for each discharge)) are recommended b	ased on the July 6, 2007 inv	estigation.	
	ing a state of the production and the first of the state		 Control of the second register, and property for the second second		
Economic Benefit (EB) for th	is violation		Statutory Limit	Test	
Ea4:	1 EB Amount	\$11,616	Violation Final F	Penalty Total	\$23,200
_sumated	d EB Amount	ψ11,010	VIOIAUOII I IIIAI F	onary rotal	\$20,200
		This violation Fina	Assessed Penalty (adjuste	ed for limits)	\$23,200

	e de la grande E	conomic	Benefit W	orksl	neet:~o//:\	(4266) (320-936)	
Respondent	Valero Refinino	ı-Texas. L.P.	**************************************	Pit te riride verdetablera	OTT THE STRUCTURE OF STRUCT	1982 F. 7. 2003 (600 kg) 1 - 28 2 3 4 3 4 1	A SA DA AND AND AND AND AND AND AND AND AND
Case ID No.							
Reg. Ent. Reference No.	,						
NOTED AND A SECTION OF THE CONTRACTOR OF THE CON		lazardous Waste				00000000000000000000000000000000000000	Years of
Violation No.		iazai uous vvasie				Percent Interest	Depreciation
Violation ivo.	. I Japan si sandararan	respertations :	4.5	on a comme			Application of the second seco
						5.0	15
	Item Cost	Date Required	Final Date	Yrs∞=l	interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$	argji, dettar i k				and the contra	
THE STATE OF THE S	The same of the state of the st	Date in Linear contract of the State of the	The second second		SOURCE SEE SEED SEED SEE SEE SEE SEE SEE	german Parkers 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1,	CONTRACTOR STOCKED A PROPERTY CONTRACTOR
Delayed Costs	POT FEINTEN	W. December 1999	Alcolous Carlo			M PSPEARS	70 SE SESSE SESSES
Equipment	TO THE PROPERTY OF	Other little March 1970	14-14-5	0:0:0	\$0.200	.l \$0	\$0:
Buildings	general conferences	er hi mi cantro u aif	to a way in	0.0	********** **************************	\$0	\$0
Other (as needed)	ก แห่วนทัศนอย์นมหากู	nasotat merekakan ilipi kerajuan A	gazity out a society (Aprellis	0.0	\$0 minut	\$ 0	\$0
Engineering/construction	nyanasaan maana	population and	2011	-0.0	\$0	\$0	\$ 0
Land	minima di minima di s	200420000000000000000000000000000000000	1	20:0	-1411 I \$0	医四层设计// 医动脉	-\$0
Record Keeping System		2 12 2 22 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2		0.0	\$0	Experiental Annual Control	\$0
Training/Sampling	www.complete.com		tativiti kili terreta kili	0:0	\$0	新加州(图11/30)	****** \$0
Remediation/Disposal	population and a	araje inganikarak	inte amortană	··· 0.0 ···	#### 1\$0	MARKET AND LONG	\$0
Permit Costs	d language and addition to	the design of the same and the	aller also relieve di resoluti dal	1.0.0	5-2/4-1 \$0	lesses n/archites	\$0
Other (as needed)	\$100,000	6-Jul-2007	31-Oct-2009	2.3	\$11,616	图数路超前/高速路建設	\$11,616
Notes for DELAYED costs	treatment syste to equalize stor	em including havin mwater and the e	g Tank 100 listed a stimated cost to clo	as part of t se/remedi	he wastewater t ate the areas a	of wastewater from reatment system if i round Tank Nos. 10 projected date of co	t is to be utilized 9 and 100. The
Avoided Costs	ANN	UALIZE [1] avoid	ed costs before e	ntering ite	em (except for	one-time avoided o	osts)
Disposal	an mentification and	ent material minute in 181	una tare autorishmi	≠:0.0 ·	\$0	*****************************	\$0
Personnel	om sachijanink (err*)	###106429.1010ga.va1706	and the first participation of	*0.0	1.4.50	Sem->⇒\$0	\$0
Inspection/Reporting/Sampling	exactive the latest of	Thin of Section 1995	andered commission	==0:0==	19:50 \$0	\$0	\$0 245
Supplies/equipment	าเจ เม นิ ตากะเกมาราวม	l carrent a vidental est	Militaria de la likera de la Servicio	I 0:0 12	\$50 \$6	#UNITER \$0 - 11 - 22 / 1	\$0
*,					attack to the same and a second and a state of		
Financial Assurance [2]	Luffer, sedan frans	ich verwarden angerande, id	プルグロロルイカンセスタス 正正体は		\$0	\$0	45-450 \$ 03-15-5
Financial Assurance [2] ONE-TIME avoided costs [3]	Lating value fraigh the Latings and persons	mas interestination	Continue de la company de la c	30:0 /4	\$0 ath	\$0	\$0
Financial Assurance [2]	Ladita valor Paligi In Ligariografia	nterrationalistantia eta representationalista dell'interrationalista	Toping and a second control of the second co			T	
Financial Assurance [2] ONE-TIME avoided costs [3]		mas interestination		30:0 /4	\$0 ath	\$0	\$0

Screening Date	17-Nov-2007	(45°23°49°5	Docket No. 2007-18	13-MLM-E		PGW
Respondent	Valero Refining-Tex	as, L.P.			Policy Rev	ision 2 (September 2002)
Case ID No.					PCW Re	vision November 6, 2007
Reg. Ent. Reference No.	RN100211663					
Media [Statute]	Industrial and Hazar	dous Waste				
Enf. Coordinator	Michael Meyer					
Violation Number						
Rule Cite(s)		30 Tex. Admin	Code § 335.69(a)(1)(B)			
Violation Description	the structural into corrosion protection Specifically, the res	egrity of the tank, co n, as documented di pondent diverted D	tank requirements inclusion tank requirements inclusion tring an investigation cor 018 waste to Tank 100 w ng this tank as a hazardo	e(s) being store nducted on July hich was being	d and 6, 2007. used as	
				Base	Penalty	\$10,000
>>Environmental Property	nd Human Heali	in Metrice				
SS Environmental Filoseny a		ırm				
Release		erate Minor	=	-		
OR Actual			_ ,			
Potential	x		Percent	50%		
>>Programmatic Matrix Falsification	Major Mod	erate Minor				
(and the second			Percent	0%		
	<u> </u>		=			
Matrix Notes Human healt			osed to pollutants which or environmental recepto		evels that	
			Adjustme	71	\$5,000	
				ur.	40,000	
			•			\$5,000
Violation Events						
Number of Vic	olation Events	<u> </u>	134 Number	of violation day	S	
Number of vic	Sidilott Evoltto			J		•
•	daily	isestalė				
	monthly -		,			#F 000
mark only one	quarterly	All Control		Violation Base	Penalty _	\$5,000
with an x	SACH ESTATEMENT OF STREET					
•	annual single:event	v				•
	- Anigle Covering	X				
Description of the control of the co	One event is rec	ommended based o	n the July 6, 2007 invest	tigation.		
distribution of the second of	nn enganger garan och fill i 1980 i 1980				القيد المستحدد	
Economic Benefit (EB) for th	is violation:		Statut	ony Limit Te	i.	
Estimate	d EB Amount	\$	0 Viola	tion Final Pen	alty Total	\$11,600
•		This violation	— on Final Assessed Pena	alty (adjusted f	or limits)	\$11,600
						Paragraphic State of the Co.

Water was	property and the state of the state of the	conomic	Benefi	t Worksh	neet 🐡	W	and s
Respondent Case ID No.	Valero Refining-	Texas, L.P.					,
Reg. Ent. Reference No.							
· 大学的数据系统的 网络克拉克克 医多克拉斯氏试验检尿 (1997) (1997) (1997) (1997)	Industrial and He	azardous Waste				146700 121574	Years of
Violation No.		amorada Tradio				Percent Interes	Depreciation
	John Marin		ALCOHOL AND		17.240235334	5.1	15
1277.00 (2000)	···Item(Cost	Date Required	Final Da	ite ===Yrs==	Interest Save	d Onetime Costs	
Item Description	元为。	45 Police and Secretary all the	the comment	30.00		ilia (j. pre julium tenut Ricald	
Delayed Costs	ir diskərətiyələr	in vina vina sa Sir		ara-paray a gala da ka	a productive		
Equipment	Solvers in Commit	and the state of the state of	V	0.0	\$0	₩ \$0	\$0
Buildings	tivitus atakiotesi	, and the water has	8	.0.0	·\$0	\$0.	\$0
Other (as needed)	gotubist in un utak sayar. Puda egen darta gulun ist	e paralitació como de una Consentación consentación con	1	0.0	\$0 \$0	\$0 \$0	\$0 \$0
Engineering/construction Land	Suggestings seems at an	and a grant contract		2 ±0:0 = 1	\$0	or Service	\$ \$0
Record Keeping System	To be approved in the formal (and the second section is a second	S Charles Manne	0.0	\$0	- Constitution	\$0 \$0
Training/Sampling	cuspernutury: A	niga kanggiyaniya wa	a (1777) (1777)	0.0	\$0	state and interest	\$0
Remediation/Disposal	funtion that defendance (Aug	andrije, ali je maleti			\$0	Markato a material	\$ 0.4477.6
Permit Costs Other (as needed)	The many to an above	natorio	ti da i di ede i San Richard promotinistic		\$0 \$0		\$0\$0
Notes for DELAYED costs			See econ	omic benefit for	Violation No.	Marian Marian Marian Marian Marian	
Avoided Costs	ANNU	JALIZE [1] avoi	ded costs be	fore entering it	em (except fo	r:one-time avoided	costs)
Disposal	Performance of the second	enalarining igual	<u> </u>		\$0	\$0	\$0
Personnel	The Market Branch	TO COLUMN TO THE TAXABLE PROPERTY.	g Regardade The	0.0	\$0 41 - \$0	\$0	\$0
Inspection/Reporting/Sampling Supplies/equipment	(Control of the Control of the Contr	and the second second second			\$0		\$0
Financial Assurance [2]	indecimant traffic in a section	1216 anomer (6690.0	l. mentickenneske bes			\$ 200 \$0.00	\$ (\$ Carron \$ 0
ONE-TIME avoided costs [3]	ggageg and galacter	. Ojyprajatoohainwa je	(socia, kurumining	- 0:00 Eq.	\$0.75	And the same of the same of the same of the same of	\$0
Other (as needed)	nithinanametri.	entregentalenten			× \$0 ×	\$0,	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$0	<u> </u>		TÖTA) Le	\$0

Compliance History

		inpliance mistory		
Customer/Respondent/Owner-Operator:	CN600127468	Valero Refining-Texas, L.P.	Classification: AVERAGE	Rating: 6.12
Regulated Entity:	RN100211663	VALERO CORPUS CHRISTI REFINERY EAST PLANT	Classification: AVERAGE	Site Rating: 11.43
ID Number(s):	AIR OPERATING	PERMITS	ACCOUNT NUMBER	NE0043A
	AIR OPERATING	PERMITS	PERMIT	1231
	AIR OPERATING		PERMIT	2238
	AIR OPERATING		PERMIT	2239
	AIR OPERATING		PERMIT	2250
	AIR OPERATING			
			PERMIT	1750
	AIR OPERATING		ACCOUNT NUMBER	NE0476L
	AIR OPERATING	PERMITS	PERMIT	1750
	WASTEWATER		PERMIT	WQ0000465000
	WASTEWATER		PERMIT	TX0006904000
	WASTEWATER		PERMIT	TX0006904
	AIR NEW SOURC	E PERMITS	ACCOUNT NUMBER	NE0043A
	AIR NEW SOURC		PERMIT	1084
	AIR NEW SOURC		PERMIT	
				1085
	AIR NEW SOURC		PERMIT	1152
	AIR NEW SOURC		PERMIT	2937
	AIR NEW SOURC	E PERMITS	PERMIT	9344
	AIR NEW SOURC	E PERMITS	PERMIT	10923
	AIR NEW SOURC	E PERMITS	PERMIT	11456
	AIR NEW SOURC	E PERMITS	PERMIT	11652
	AIR NEW SOURC		PERMIT	
	AIR NEW SOURC			13764
			PERMIT	2180A
	AIR NEW SOURC		PERMIT	3477
	AIR NEW SOURC		PERMIT	3783
	AIR NEW SOURC	E PERMITS	PERMIT	5285A
	AIR NEW SOURC	E PERMITS	PERMIT	5487A
	AIR NEW SOURC	E PERMITS	PERMIT	5488A
	AIR NEW SOURC	E PERMITS	PERMIT	16859
	AIR NEW SOURC	E PERMITS	PERMIT	
	AIR NEW SOURC		PERMIT	21656
				21563
	AIR NEW SOURC		PERMIT	22390
	AIR NEW SOURC		PERMIT	30275
	AIR NEW SOURC	E PERMITS	PERMIT	41936
	AIR NEW SOURC	E PERMITS	PERMIT ·	46768
	AIR NEW SOURC	E PERMITS	REGISTRATION	71884
	AIR NEW SOURC	E PERMITS	REGISTRATION	75588
	AIR NEW SOURCE		AFS NUM	
	AIR NEW SOURC		REGISTRATION	4835500018
				72781
	AIR NEW SOURCE		EPA ID	PSDTX1023M1
	AIR NEW SOURCE		EPA ID	PSDTX1023
	AIR NEW SOURCE		REGISTRATION	78472
	AIR NEW SOURCE	E PERMITS	REGISTRATION	78481
	AIR NEW SOURCE	E PERMITS	ACCOUNT NUMBER	NE0476L
•	AIR NEW SOURCE	E PERMITS	AFS NUM	4835500177
		HAZARDOUS WASTE	SOLID WASTE REGISTRATION #	30530
	GENERATION		(SWR)	00000
		HAZARDOUS WASTE	EPA ID	TXD008132268
	IHW CORRECTIVE	EACTION	SOLID WASTE REGISTRATION # (SWR)	30530
	INDUSTRIAL AND STORAGE	HAZARDOUS WASTE	PERMIT	50261
	WASTEWATER LIC	CENSING	LICENSE	14/00000 :
	INDUSTRIAL AND	HAZARDOUS WASTE	PERMIT	WQ0000465000 50261
Location:	COMPLIANCE PLA 1300 CANTWELL L	N, CORPUS CHRISTI, TX, 7840	The football of the second of	Repeat Violator:
TCEQ Region:	REGION 14 - CORF	PUS CHRISTI	NO .	
Date Compliance History Prepared:	December 09, 2007			
Agency Decision Requiring Compliance History:	Enforcement			
Compliance Period:	November 01, 2002	to October 31, 2007		

Name:

Michael Meyer

Phone:

(512) 239-4492

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period?

2. Has there been a (known) change in ownership of the site during the compliance period?

Yes

3. If Yes, who is the current owner?

Valero Refining-Texas, L.P.

Coastal Refining & Marketing, Inc.

Coastal Refining and Marketing Inc.

5. When did the change(s) in ownership occur?

11/08/2004

Components (Multimedia) for the Site:

4. if Yes, who was/were the prior owner(s)?

Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

Effective Date: 11/16/2003

ADMINORDER 2002-1055-AIR-E

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)

Ramt Prov:

SC 1 PERMIT Description: Failure to obtain regulatory authority or meet the demonstration requirements of 30 TAC

101.11 for emissions resulting from an upset event 11/2/01.

Classification: Moderate

Citation:

30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)

Description: Failure to prevent visible emissions from a gas flare for a duration of less than five minutes in

a two hour period during an upset event on 11/2/01

Effective Date: 11/23/2005

COURTORDER

Classification: Moderate

30 TAC Chapter 101, SubChapter F 101,201(a)(1)

Description: Failure to provide notification of reportable emissions, released as a result of emissions events at the Vacuum Jet Compressor on September 21, 2002 and February 7, 2003, within 24 hours of

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)

TCEQ Permit 6797 PA Ramt Prov:

Description: Failure to obtain regulatory authority for, or satisfy all of the demonstration criteria to exempt from compliance limitations, emissions involving the Vacuum Jet Compressor during eleven emissions

events.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)

Ramt Prov:

TCEQ Permit 6797 PA

Description: Failure to obtain regulatory authority for, or satisfy all of the demonstration criteria to exempt from compliance limitations, emissions involving the Ingersoll Rand (IR) Compressor during an emissions event on June 27, 2002.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)

30 TAC Chapter 116, SubChapter B 116.115(c)

Ramt Prov:

TCEQ Permit 21655 PA

Description: Failure to obtain regulatory authority for, or satisfy all of the demonstration criteria to exempt from compliance limitations, emissions involving the Sulfur Recovery Unit Incinerator during an emissions event which started on June 20, 2002 and ended on June 24, 2002.

Classification: Minor

Citation:

30 TAC Chapter 101, SubChapter F 101.201(a)

Description: Failure to provide rule required information in the notification of a reportable emissions, released as a result of emissions events at the Vacuum Jet Compressor on September 23, 2003, to the commission's regional office within 24 hours of discovery.

Classification: Moderate

30 TAC Chapter 116, SubChapter B 116.115(b)(2) Citation:

Ramt Prov:

General Conditions PA

Description: Failure to obtain regulatory authority for, or satisfy all demonstration criteria to exempt from compliance limitations, the emissions (including approximately 3 tons of sulfur dioxide) that were released from the Vacuum Jet Compressor facility during an emissions event on September 23, 2003.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(H)

Ramt Prov:

Description: Failure to satisfy all demonstration criteria in 30 TAC §101.222(b) and (c) and obtain regulatory authority for the emissions (including approximately 89 tons of sulfur dioxide) that were released from the Vacuum Jet Compressor facility during emissions events and scheduled activities.

Classification: Moderate

30 TAC Chapter 112, SubChapter B 112.31

Description: Failure to prevent emissions of hydrogen sulfide from a source or sources operated on a property or multiple sources operated on contiguous properties from exceeding a net ground level

concentration of 0.80 parts per million averaged over a 30-minute period.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)

SC 1 PA Ramt Prov:

Description: Failure to satisfy all demonstration criteria in 30 TAC §101.222(b) and obtain regulatory authority for the emissions (including approximately 6.3 tons of sulfur dioxide) that were released from the

Vacuum Jet Compressor facility during an emissions event on or about May 5, 2004.

Classification: Moderate

30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)

Description: Failure to prevent visible emissions from the flare (EPN: EP-FLARE1) from exceeding the

required limit, as reported on January 21, 2004 in incident 33605.

Classification: Minor

30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B) Citation:

Description: Failure to notify the TCEQ Corpus Christi Region Office within twenty four hours after the

discovery of a reportable emissions event.

Classification: Moderate

30 TAC Chapter 116, SubChapter B 116.115(c) Citation:

Special Condition 1 PERMIT Ramt Prov

Description: Failure to satisfy all demonstrations criteria in 30 TAC §101.222(b) and gain an affirmative

defense for the unauthorized emissions that were released during TCEQ incident 37739.

Classification: Moderate

Rgmt Prov: Provision No. 3 PERMIT

Description: Failed to prevent the discharge of floating solids and visible foam in other than trace amounts

at Outfall 001.

Effective Date: 12/30/2005

ADMINORDER 2001-1023-AIR-E

Classification: Moderate

30 TAC Chapter 101, SubChapter A 101.6(a) Citation:

5C THC Chapter 382, SubChapter A 382.085(b)

Ramt Prov:

Description: Fail. obtain regulatory auth. or meet demonstration requirements of 30TAC101.11 for

emissions resulting from upset event that occurred 7/2/00 - 7/7/00.

Classification: Minor

30 TAC Chapter 116, SubChapter B 116,115(c)

5C THC Chapter 382, SubChapter A 382,085(b)

Description: Fail, maintain complete records regarding upset event that occurred on 9/8/2000.

Classification: Moderate

30 TAC Chapter 116, SubChapter B 116.115(c) Citation:

5C THC Chapter 382, SubChapter A 382.085(b)

Ramt Prov:

Description: Fail. obtain regulatory auth, or meet demonstration requirements of 30TAC101.11 for

emissions resulting from upset events that occurred on 7/2/00 thru 7/7/00.

Classification: Moderate

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC1 PERMIT

Description: Fail. obtain regulatory auth. or meet demonstration requirements of 30TAC101.11 for

emissions resulting from upset that occurred on 9/26/00.

Classification: Moderate

30 TAC Chapter 116, SubChapter B 116.115(c) Citation:

5C THC Chapter 382, SubChapter A 382.085(b)

SC1 PERMIT Ramt Prov:

Description: Fail. obtain regulatory auth. or meet demonstration requirements of 30TAC101.11 for

emissions resulting from upset event that occurred on 9/26/00.

Classification: Moderate

30 TAC Chapter 116, SubChapter B 116.115(c) Citation:

5C THC Chapter 382, SubChapter A 382.085(b)

SC1 PERMIT Ramt Prov:

Description: Fail. obtain regulatory auth. or meet demonstration requirements of 30TAC101.11 for

emissions resulting from 20 upset events at crude & vacuum unit.

Classification: Minor

30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii) Citation:

5C THC Chapter 382, SubChapter A 382,085(b)

Description: Fail. maintain flare observation log for 4 flares for may & june 2000 & for east plt. main flare

for december 2000.

Classification: Moderate

Citation:

30 TAC Chapter 115, SubChapter B 115.114(b)(2)

30 TAC Chapter 115, SubChapter B 115.114(b)(3)

30 TAC Chapter 115, SubChapter B 115.114(b)(4) 5C THC Chapter 382, SubChapter A 382.085(b)

Description: Fail, visually inspect or physically measure secondary seal gaps of vessels numbered 84, 98,

100, 151, 153, 355 & 358 at least once every 12 months during calendar yr. 2000.

Classification: Moderate

Citation:

30 TAC Chapter 115, SubChapter D 115.322(5)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Fail. mark applicable pipeline valves & pressure relief valves in gaseous VOC serv. in

manner readily obvious to monitoring personnel.

Classification: Moderate

Citation:

30 TAC Chapter 115, SubChapter D 115,324(1)(C)

30 TAC Chapter 115, SubChapter D 115.326(2)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Fail. measure emissions from all affected process drains on yearly basis.

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(1)

30 TAC Chapter 101, SubChapter A 101,20(2)

30 TAC Chapter 113, SubChapter C 113,130

30 TAC Chapter 115, SubChapter D 115.325(1)

30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.485(b)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(h)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.180(b)

Ramt Prov:

SC 11 & 12 PERMIT SC 13F PERMIT

SC 16F & 16G PERMIT

SC 1F & 1G PERMIT

SC 3F & 3G PERMIT SC 5 & 6 PERMIT

SC 5F, 5G & 6 PERMIT

SC 6 PERMIT

SC4 PERMIT

Description: Fail. properly conduct test method 21.

Classification: Minor

Citation:

30 TAC Chapter 115, SubChapter D 115.326(1)

5C THC Chapter 382, SubChapter A 382,085(b)

Description: Fail. submit monitoring program plan which includes list of refinery units & quarter in which they will be monitored copy of log book format & make & model of monitoring equip, to be used.

Classification: Moderate

30 TAC Chapter 115, SubChapter D 115.327(4)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Fail, submit required compliance plan & start up notification before #2 reformer at Quintana

plt. was re-started in 1/2001.

Classification: Minor

Citation:

30 TAC Chapter 116, SubChapter B 116,115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:

SC13 PERMIT

SC29E PERMIT

Description: Fail.submit accurate summ.rpt. for SRU#1 for 3rd qurtr. cal. yr. 1999(3Q99)&for SRU#1 &SRU #2 for 2Q00 &fail. to submit CMS EER for 1Q97,2Q97,4Q98 &2Q99 for fuel gas hydrogen sulfide content 3Q00 SRU#1 S02 emissions,3Q97 &1Q00 co-gen.unit NOX emiss.

Classification: Minor

Citation:

30 TAC Chapter 116, SubChapter B 116.115(b)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Fail. submit rpt. at least semi-annual cert. indicating whether any changes were made in opers. SRU#1 & SRU#2 emission control system when SO2 data wasn't available from CEMS.

Classification: Minor

Citation:

30 TAC Chapter 101, SubChapter A 101.20(1)

40 CFR Part 60, Subpart NNN 60.665(a)

40 CFR Part 60, Subpart NNN 60.665(d)

Description: Fail. submit notification indicating method of compliance w/ 40CFR60.662 & fail. provide records of flow rates & semi-annual rpts. as required.

Classification: Minor

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

SC11A PERMIT Ramt Prov:

SC13A PERMIT SC16A PERMIT SC3A PERMIT SC4A PERMIT SC5A & 6A PERMIT

Description: Fail. provide records of throughput and service and emission control tanks

repairs/replacements.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

SC11F PERMIT Rqmt Prov:

SC16F PERMIT SC4F PERMIT SC6F PERMIT SCF5 PERMIT

Description: Fail. utilize directed maintenance program to monitor accessible valves.

Classification: Minor

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

SP 8D,8E &8F PERMIT Ramt Prov:

Description: Fail. maintain record of semi-annual & yr.-to-date emissions calculations for annual &

short-term emissions for vessels.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116,115(b)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: GC1 PERMIT

Description: Fail to produce, upon request, proper records of CO emissions.

Classification: Minor

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC8 PERMIT

Description: Failed to include emissions from the CO boiler and the collapse of the roof of storage vessel

no. 352 in teh EIU for calendar year 1999.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:

Description: Fail. maintain emissions of CO, VOC & PM at or below allowable emission limits for reactor

heater 3-H-3 for calendar yr. 2000.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Fail. comply w/ required fuel rate limit for reactor heater 3-H-3 from 10/1999 - 6/2000 &

8/2000

Classification: Minor

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

SC8A PERMIT Ramt Prov:

Description: Fail. properly maintain records of fuel throughput for reactor heater 3-H-3.

Classification: Minor

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC7 PERMIT

Description: Fail. report results of annual test runs to confirm accuracy of weekly sampling procedures of

SC4 of TNRCC air permit #3784A for 1999 & 2000.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Fail. maintain emissions of VOC, NOx & CO at or below allowable emission limits for #2 reformer flare REF2FL1 for calendar yrs. 1999 & 2000 and misrepresentation of these emissions in

1/22/92 permit app..

Classification: Minor

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

SC5 PERMIT Ramt Prov:

Description: Fail, maintain records of daily avg. fuel gas usage for heater QL-10.

Classification: Moderate

30 TAC Chapter 116, SubChapter B 116.115(b) 5C THC Chapter 382, SubChapter A 382,085(b)

Ramt Prov:

Description: Fail, maintain emissions of CO at or below allowable emission limits for heater QH-125 for

calendar yrs. 1999 & 2000. Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC1 PERMIT

Description: Fail. maintain emissions of VOC at or below allowable emission limits for heater Q10-H-1 for

calendar yr. 2000.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)

SC6 PERMIT Rgmt Prov:

Description: Fail. comply w/ required feed rate limit for heater Q10-H-1 for 12/1999.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382,085(b)

SC4 PERMIT Rgmt Prov:

Description: Fail, comply w/ required hourly firing rate limit for heater 8-H-6 from 1/1 to 5/27, 6/3 to 6/18. 7/3 to 7/6 & 7/21 to 9/9, 1999; and fail. comply w/ required hourly firing rate limit for heaters 8-H-3 & 8-H-5

for 17 hrs. between 1/22 & 4/21, 1999.

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

SC11E PERMIT Ramt Prov

Description: Fail. manually switch CEMS monitor between stacks cogen-1 & cogen-2 every 3 months

during calendar yrs. 1999 & 2000.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rgmt Prov:

Description: Failure to produce on request records of VOC emission levels for for Coker Heater 7-H-2 for

calendar year 1999 and for emission levels of VOCs, PM and CO for calendar year 2000

Classification: Moderate

30 TAC Chapter 116, SubChapter B 116.116(b)(1)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: misrepresented the West Plant Flare as an emergency flare instead of a process flare

Classification: Minor

30 TAC Chapter 116, SubChapter B 116,115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:

Description: failed to complete all samples required for cooling water VOC leak detection sampling

Effective Date: 08/23/2007

ADMINORDER 2007-0131-AIR-E 3

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101,20(3)

30 TAC Chapter 116, SubChapter G 116,715(a) 5C THC Chapter 382, SubChapter D 382.085(b)

TCEQ 2937 / SC 1 PA

Description: Failure to satisfy all demonstration criteria in 30 TAC \$101,222(b) and gain an affirmative defense against penalties for unauthorized emissions that were released from the No. 4 Vacuum Unit during an emissions event (TCEQ STEERS No. 75676) which occurred on or about May 10, 2006.

В. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

```
1 11/25/2002
                   (159910)
 2 12/17/2002
                   (159914)
 3 01/21/2003
                   (159918)
    02/17/2003
                   (159877)
 5
    02/20/2003
                   (246568)
 6 03/19/2003
                   (159880)
    04/11/2003
 7
                   (31132)
    04/17/2003
                   (159885)
 9
   04/18/2003
                   (33903)
10 04/21/2003
                   (33898)
    05/08/2003
                   (36029)
11
    05/20/2003
                   (159889)
12
    06/16/2003
                   (159893)
13
14
    06/19/2003
                   (114250)
15
    06/25/2003
                   (36014)
16
    07/24/2003
                   (159897)
17
    08/18/2003
                   (296115)
    08/28/2003
                   (29654)
18
19
    09/22/2003
                   (296117)
20
   10/21/2003
                   (296119)
21
   11/21/2003
                   (296120)
22 12/16/2003
                   (147906)
   12/17/2003
23
                   (258116)
24
    12/22/2003
                   (296121)
    01/06/2004
25
                   (251552)
26
    01/20/2004
                   (296123)
27
    02/17/2004
                   (332781)
28
    02/18/2004
                   (296104)
    03/19/2004
29
                   (296107)
    03/26/2004
30
                   (265025)
31
    03/26/2004
                   (265011)
   04/15/2004
32
                   (258186)
33
    04/22/2004
                   (296108)
34
   05/17/2004
                   (265353)
35
   05/18/2004
                   (296110)
    06/07/2004
36
                   (274416)
37
    06/15/2004
                   (269771)
    06/21/2004
38
                   (296112)
39
    06/22/2004
                   (270344)
40
    06/30/2004
                   (277545)
    06/30/2004
41
                   (277770)
    07/20/2004
42
                   (352431)
43
    08/19/2004
                   (352432)
44
    08/27/2004
                   (289772)
45 08/31/2004
                   (267107)
46 09/13/2004
                   (352433)
47 10/07/2004
                   (292867)
48
   10/21/2004
                   (352434)
49
    10/21/2004
                   (334534)
    11/23/2004
50
                   (352435)
51
    11/30/2004
                   (342556)
52
    11/30/2004
                   (342509)
    12/06/2004
53
                   (342868)
54
    12/22/2004
                   (381980)
    12/28/2004
                   (345193)
55
56
   01/14/2005
                   (381981)
57
    02/10/2005
                   (342544)
58
   02/22/2005
                   (381978)
59
   03/18/2005
                   (381979)
60
   04/11/2005
                   (350299)
61
    04/15/2005
                   (373717)
62
   04/19/2005
                   (430046)
63
    05/23/2005
                   (430047)
64
    06/02/2005
                   (394325)
```

65

06/02/2005

66 06/21/2005

(394464)

(430048)

67	06/27/2005	(375543)
68	07/05/2005	(397974)
69	07/09/2005	(397621)
70	07/15/2005	(397268)
71	07/20/2005	(430049)
72	08/19/2005	(440955)
73	08/19/2005	(405862)
74	08/24/2005	(402929)
75	08/30/2005	(418769)
76	09/19/2005	(440956)
77	10/14/2005	(433213)
78	10/24/2005	(440957)
79	10/25/2005	(432976)
80	11/17/2005	(403617)
81	11/21/2005	(468638)
82	12/21/2005	(468639)
83	12/21/2005	(439798)
84	01/23/2006	(468640)
85	01/28/2006	(453260)
86	02/08/2006	(453776)
87	02/22/2006	(468635)
88	03/20/2006	(468637)
89	03/28/2006	(458315)
90	04/19/2006	(462919)
91	04/24/2006	(498341)
92	05/08/2006	(465221)
	05/08/2006	
93		(464657)
94	05/23/2006	(498342)
95	05/25/2006	(479708)
96	06/06/2006	(480816)
97	06/19/2006	(465775)
98	06/21/2006	(498343)
99	07/07/2006	(485108)
100	07/10/2006	(462991)
101	07/19/2006	(481002)
102	07/20/2006	(498344)
	08/18/2006	
103		(520356)
104	08/22/2006	(483293)
105	08/29/2006	(488424)
106	08/29/2006	(509898)
107	08/30/2006	(509065)
108	09/13/2006	(510965)
		• •
109	09/19/2006	(520357)
110	10/16/2006	(511059)
111	10/20/2006	(544689)
112	11/16/2006	(544690)
113	11/30/2006	(531095)
114	12/05/2006	(532536)
115	12/06/2006	(532499)
116	12/19/2006	(544691)
117	12/20/2006	(511278)
118	01/08/2007	(533142)
119	01/19/2007	(532903)
120	01/22/2007	(544692)
121	01/26/2007	(537711)
122	01/26/2007	(534329)
123	02/05/2007	(517485)
124	02/08/2007	(538991)
125	02/20/2007	(575585)
126	02/21/2007	(541385)
127	02/26/2007	(533896)
128	03/16/2007	(553836)
129	03/20/2007	(575586)
130	04/23/2007	(575587)
131	05/21/2007	(575588)
132	06/04/2007	(540935)
133	06/22/2007	(575589)
134	06/29/2007	
134	JUI2812UU1	(554747)

```
135 07/18/2007
                          (575590)
    136
        07/27/2007
                          (564471)
    137
         08/01/2007
                         (565791)
         08/20/2007
                         (607581)
    138
    139
         08/20/2007
                          (563339)
    140
         08/21/2007
                          (562042)
         08/22/2007
                          (570744)
    141
    142
         08/28/2007
                          (573456)
    143
         08/29/2007
                          (573753)
    144
         08/29/2007
                          (573754)
                          (573755)
        08/29/2007
    145
        08/30/2007
                          (570541)
    146
    147
         08/31/2007
                          (567701)
    148
        09/14/2007
                          (594164)
    149
         09/21/2007
                          (607582)
        10/09/2007
                          (595753)
    150
    151
         10/19/2007
                          (597755)
    152
         10/22/2007
                          (597742)
    153
         10/31/2007
                          (599527)
         10/31/2007
                          (598205)
    154
Written notices of violations (NOV). (CCEDS Inv. Track. No.)
      Date: 02/20/2003
                               (246568) $
      Self Report?
                                                                                 Classification:
                                                                                                    Moderate
                          30 TAC Chapter 305, SubChapter F 305.125(1)
      Citation:
      Description:
                          NON-RPT VIOS FOR MONIT PER OR PIPE
      Date: 03/11/2003
                               (26414) 2
                                                                                 Classification:
      Self Report?
                                                                                                    Minor
      Citation:
                          30 TAC Chapter 335, SubChapter A 335.6(a)
                          Valero failed to notify the executive director by electronic notification of
      Description:
                          nonhazardous industrial solid waste disposal activities.
      Date: 03/11/2003
                               (25137) 3
                                                                                 Classification:
      Self Report?
                                                                                                    Moderate
      Citation:
                          30 TAC Chapter 335, SubChapter A 335.4(1)
                          TWC Chapter 26 26.121(a)(1)
      Description:
                          Failure to prevent the discharge of industrial waste from entering "waters of the
                          state" (ground water).
                               (31132) 4
      Date: 04/23/2003
      Self Report?
                                                                                 Classification:
                                                                                                    Minor
      Rgmt Prov:
                          PERMIT WQ0000465-000
      Description:
                          Failure to maintain a record of calibration activities for the flow meter at Outfall
      Date: 02/17/2004
                               (332781) 5
      Self Report?
                                                                                 Classification:
                                                                                                    Moderate
      Citation:
                          30 TAC Chapter 305, SubChapter F 305.125(1)
                          30 TAC Chapter 305, SubChapter F 305.125(17)
                          NON-RPT VIOS FOR MONIT PER OR PIPE
      Description:
      Date: 08/19/2004
                               (289772) 💪
      Self Report?
                                                                                 Classification:
                                                                                                   Moderate
      Citation:
                          30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
      Description:
                          Failure to prevent visible emissions from the flare (EPN: EP-FLARE1) from
                          exceeding the required limit, as reported on January 21, 2004 in incident 33605.
      Date: 01/31/2006
                               (468635) 7
      Self Report?
                                                                                 Classification:
                                                                                                   Moderate
      Citation:
                          30 TAC Chapter 305, SubChapter F 305.125(1)
                          TWC Chapter 26 26.121(a)
      Description:
                          Failure to meet the limit for one or more permit parameter
      Date: 08/23/2006
                               (488424) 🐉
      Self Report?
                                                                                 Classification:
                                                                                                   Minor
      Citation:
                          30 TAC Chapter 113, SubChapter C 113.340
                          40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.654(i)
      Description:
                          Failure to maintain records as required by applicable federal rule.
      Self Report?
                      NO
                                                                                 Classification:
                                                                                                   Moderate
      Citation:
                          30 TAC Chapter 113, SubChapter C 113.130
                          40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)
      Description:
                          Failure to conduct required monthly monitoring of six pumps.
      Self Report?
                                                                                 Classification:
                                                                                                   Moderate
```

30 TAC Chapter 101, SubChapter A 101.20(2)

F.

Citation:

30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345(b)

Rqmt Prov:

OP FOP O-02250, Special Condition No. 15(A)

Description: Date: 08/29/2006 Failure to conduct visual inspections as required by federal rule.

(509065) 9

Self Report? Citation:

30 TAC Chapter 101, SubChapter A 101.20(2)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345(b)

Ramt Prov: Description: OP O-01231 STC No. 10A

Failure to visually inspected initially and quarterly thereafter to ensure that all

Classification:

Classification:

Classification:

Classification:

Classification:

Classification:

Moderate

Moderate

Minor

Moderate

Moderate

Moderate

containers are closed and gasketed properly.

Self Report? Citation:

30 TAC Chapter 115, SubChapter B 115.132(b)(1)

Ramt Prov:

OP O-01231 STC 13

Description:

The Regulated Entity failed to keep the gauging and sampling devices vapor-tight

except during gauging or sampling, citing 30 TAC § 115.132(b)(1) / FOP No. O-01231 Permit Provision No. 13 for the reporting period covering, 10/11/2005 to

10/17/2005.

Date: 08/29/2006

(509898) ID

Self Report?

30 TAC Chapter 122, SubChapter B 122.145(2)(A)

Citation: Rqmt Prov:

OP FOP No. O-02238

Description:

Failure to submit a complete deviation report for Title V Federal Operating Permit

No. O-02238 for the semi-annual reporting periods of April 19, 2005 through October 18, 2005 and October 19, 2005 through April 18, 2006. Specifically, the

deviation reports were inadequate as the probable cause was

Self Report?

30 TAC Chapter 101, SubChapter A 101.20(2)

30 TAC Chapter 122, SubChapter B 122,143(4)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345(b)

Rgmt Prov:

Citation:

OP FOP 0-02238 Special Term & Condition 10A

Description:

Failure to conduct visual inspections of vacuum trucks during the third quarter

(July 1, 2005 through September 30, 2005) as required by applicable federal rule.

Date: 05/31/2007

(575589) 11

Self Report?

Citation:

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26,121(a)

Description: Failure to meet the limit for one or more permit parameter

Date: 08/24/2007 (570744) 12-

Self Report?

30 TAC Chapter 101, SubChapter A 101.20

30 TAC Chapter 115, SubChapter D 115.322(4) 30 TAC Chapter 116, SubChapter G 116.715(a) 30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61,242-6(a)

Rgmt Prov:

PERMIT Special Condition 24E (2937/PSDTX1023M1)

OP Special Term & Condition 1A (FOP 0-2238)

Description:

Failure to equip each open-ended valve or line with a cap, blind flange, plug, or a second valve. According to the TCEQ Enforcement Initiation Criteria, this is a

Category C violation, Subcategory 10. NO

Self Report?

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(2) 30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 113, SubChapter C 113.130 30 TAC Chapter 115, SubChapter D 115,322(4) 30 TAC Chapter 116, SubChapter G 116.715(a) 30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)

Rgmt Prov:

PERMIT Special Condition 25E (2937/PSDTX1023M1)

OP Special Term & Condition 1A (FOP O-2238)

Description:

Failure to equip each open-ended valve or line with a cap, blind flange, plug, or a second valve. According to the TCEQ Enforcement Initiation Criteria, this is a

Category C violation, Subcategory 10. (573456) 13

Date: 08/29/2007

Self Report?

Classification: Minor

Citation:

30 TAC Chapter 115, SubChapter D 115.322(2) 30 TAC Chapter 116, SubChapter G 116.715(a)

Ramt Prov:

PERMIT Permit No. 2937/PSD-TX-1023, SC 24(I)

Description:

Failure to conduct repairs of leaking components no later than 15 calendar days

after they were found to be leaking. Specifically, twenty-two valves on the

following dates: 6/13/2006, 6/14/2006, 6/17/2006, 6/21/2006, 6/23/2006 and 8/29/2006, and three pumps on the following dates: 6/13/2006, 6/23/2006 and

7/31/2006, were found to be leaking.

Self Report?

Classification:

Minor

Citation:

30 TAC Chapter 113, SubChapter C 113.120 30 TAC Chapter 113, SubChapter C 113,340

40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.646(a) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(2)(ii)

Description: Self Report?

its 10 year inspection cycle.

Classification: Minor

Citation:

30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 113, SubChapter C 113.340

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(c)(2) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)

Description:

Failure to conduct an initial repair attempt within a 5-day period after a pump (tag no. E16169) located in the EP South Tank Farm Area was detected as leaking on 9/22/2006. The initial repair attempt was due no later than 09/27/2006 and was

Failure to conduct a primary seal inspection on storage tank TK-326 at the end of

not performed until 09/28/2006.

Self Report?

Classification:

Classification:

Classification:

Moderate

Moderate

Minor

Citation:

30 TAC Chapter 113, SubChapter C 113,130

40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(c) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(c)(1)

Description:

Failure to repair a pump within the 15-day period after it was discovered to be leaking on 6/26/2006. The pump, tag no. O10963, was due to be repaired no later

than 7/11/2006. The pump was repaired on 7/24/2006.

Self Report? Citation:

30 TAC Chapter 113, SubChapter C 113,130

40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(c) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63,168(f)(1)

Description:

Citation:

Failure to repair a valve within the 15-day period after it was discovered to be leaking on 6/24/2006. The valve, tag no. O10834, was due to be repaired no later

than 7/9/2006. The valve was repaired on 7/12/2006.

Self Report?

30 TAC Chapter 113, SubChapter C 113.130

30 TAC Chapter 113, SubChapter C 113.340 30 TAC Chapter 115, SubChapter D 115.322(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)

Description:

Failure to properly operate or equip each open-ended line (OELs) with a cap, blind flange, plug or a second valve. Specifically, two open-ended lines located in the South Tank Farm and identified as tag nos.: 17702 and 17713 were not equipped with a cap, blind flange, plug or a second valve as required. The OELs were

discovered on 8/30/2006 and 9/13/2006, respectively.

Self Report?

Classification:

Minor

Citation:

30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 113, SubChapter C 113.340 30 TAC Chapter 115, SubChapter D 115,325(1)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.485(b)(1) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)

Description:

Failure to perform equipment calibration and monitoring of components according to test Method 21. Specifically, cylinder standards of 500 parts per million (ppm),

1,000 ppm, 2,000 ppm and 10,000 ppm were passed documented shelf life.

Date: 08/30/2007

(570541) 14

Self Report?

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(2)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-2(c)

Ramt Prov:

Description:

Failure to comply with EPA standards, any applicable NESHAPS promulgated by

the EPA pursuant to the Federal Clean Air Act, §112, as amended;

F. Environmental audits.

G. Type of environmental management systems (EMSs).

N/A

Н. Voluntary on-site compliance assessment dates.

N/A

1. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance. N/A Sites Outside of Texas N/A

all		Penalty C	alculation	n Worksheet (I	PCW)	
Policy Revision	on 2 (September 2	202)			PCW Rev	ision June 12, 2008
JCEQ DATES As		n-2008 b-2009 Screening	24-Jul-2008	EPA Due 28-Apr-200	9	
RESPONDENT/FA	CILITY INFOR	MATION	and the second s			
		Refining-Texas, L.P.				
	Ref. No. RN100			Major/Minor Source	Major	
Facility/Site i	Region 14-Cor	pus Cillisu		Wajor/Willion Source	Je į įviajoi	
CASE INFORMAT	ION		n - 1		Specification in the second	
	ID No. 34927			No. of Violation		
l .	ket No. 2007-1	813-MLM-E		Order Typ		
Media Prog	ram(s) Air -Media			Government/Non-Prof Enf. Coordinate		
Multi	-Wedia				m Enforcement Team 4	.
Admin. Per	nalty \$ Limit M	inimum \$0	Maximum	\$10,000		······
		Penal	ty Calcula	tion Section		
TOTAL BASE F	PENALTY (S	um of violation b	ase penaltie	s)	Subtotal 1	\$10,000
ADJUSTMENTS	S (+/-) TO SI	IBTOTAL 1			arregant bened	9 44844 V. (4)
Subtotals 2-7	are obtained by m	ultiplying the Total Base Per	nalty (Subtotal 1) by	the indicated percentage.	longer of August 14 August 18 August	ela Millerij AD act. Meddel
	ce History			Enhancement Sul	ototals 2, 3, & 7	\$16,600
	The F	Respondent has receiv	ed four 1660 O	ders, one Findings Order	,	
	Notes one	• •		or similar violations, and		
		eight non-simila	ar NOVs in the p	ast five years.		
Culpability	v No		0.00/	Enhancement	— Subtotal 4	\$0
Curpability	y	11772 FR 12774 FR1	0.0.78	Elijiaiteitielit	Jupicial 4	φυ
	Notes	The Respondent do	es not meet the	culpability criteria.		
Cood Fait	h Effort to Co.	and Tatal Adicates			TO COLLEGE TO	60 500
Good Fait	ii Eliort to Coi	mply Total Adjustme	nts	All Marin Baland Shyba B	Subtotal 5	\$2,500
Economic	Alberta and the self-results and the	Sandar eta		Enhancement*	Subtotal 6	\$0
	Approx. Cost of C	3 Amounts \$197 ompliance \$5,000	*Capped	at the Total EB \$ Amount		
A COMPANY OF THE PROPERTY AND A STREET	and the second second second		gran and grangs a real of	and the control of th		
SUM OF SUBT	OTALS 1-7				Final Subtotal	\$24,100
				The state of the s	oneye a ce diribina 🔽 📉	
		TICE MAY REQUING the indicated percentage.	IRE L	0.0%	Adjustment	\$0
Treduces of enhances to	le i iliai Subiotai by	the mulcated percentage.			\neg	
Note:	s ·					
				Final P	enalty Amount	\$24,100
OT 4 TUTO DV ()			grana salah koma ne di	ing and the state of the state	was a second second	
STATUTORY L	IMII ADJUS	IMENI		Final Ass	sessed Penalty	\$24,100
DEEEDDAI	an representation	n regie dynyt promitir pri o	riganina. Pijana F	0.00/	\$ 6646481 268 YO	
DEFERRAL Reduces the Final Asses	ssed Penalty by the	e indicted percentage. (Ente	er number only: e a	0.0% Reduction	Adjustment	\$0
			Gilly, G.g.		7	
Note	s	Deferral not offere	ed for non-exped	lited settlement.		,
		200 - 2				<u></u>
PAYABLE PEN	ALTY					\$24,100

PCW-B Plant 1 Screening Date 24-Jul-2008

Docket No. 2007-1813-MLM

PCW

Respondent Valero Refining-Texas, L.P.

Case ID No. 34927

Reg. Ent. Reference No. RN100211663

Media [Statute] Air Enf. Coordinator Miriam Hall

>>

Policy Revision 2 (September 2002)
PCW Revision June 12, 2008

	/ Site Enhancement (Subtotal 2) Number of	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	3	15%
	Other written NOVs	- 8	16%
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	4	80%
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	1	25%
Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)		30%
and Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government		0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)		0%
, (33.13	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
	Plea	se Enter Yes or No	
	Environmental management systems in place for one year or more	No	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
Other	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%
	Adjustment P	ercentage (Su	ıbtotal 2)
t Violator (Su	btotal 3)		
No	Adjustment P	ercentage (Su	ıbtotal 3) 🛚
liance History	Person Classification (Subtotal 7)	Parkers of the Burnston	on the second
Average P	erformer Adjustment P	ercentage (Su	ıbtotal 7) [
liance History	Summary		
Compliance	The Respondent has received four 1660 Orders, one Findings Order, one Court Order, three		

Total Adjustment Percentage (Subtotals 2, 3, & 7)

Sc	reening Date 24-Jul-2008	Docket No. 2007-1813-MLM	PCW
	Respondent Valero Refir	ning-Texas, L.P.	Policy Revision 2 (September 2002)
	Case ID No. 34927		PCW Revision June 12, 2008
Reg. Ent. R	eference No. RN1002116	63	
	edia [Statute] Air		
l c	Coordinator Miriam Hall		
Vi	olation Number 1		
		Admin. Code §§ 101.20(3) and 116.715(a), Tex. Health & Safety Code (b), and Air Permit Nos. PSD-TX-1023M1 and 2937, Special Condition	
Violat	reviews ion Description fluidized cat conduct	maintain compliance with the emission limits, as documented during rec conducted on May 27 and June 20, 2008. Specifically, stack testing of t alytic cracking unit ("FCCU") Regenerator/CO Boiler Stack (EPN 12-CO ed on August 15, 2007 and February 14, 2008 indicated particulate matt of 1.08 and 1.23 pounds ("lbs") per 1,000 lbs of coke burn-off, respectively with a permit limit of one lb per 1,000 lbs of coke burn-off.	he D-STK) ter
		Base Pe	enalty \$10,000
>> Environmental	, Property and Human	Health Matrix	
	5.	Harm	
OR	Release Major Actual	Moderate Minor	
	Potential	X Percent 25%	
	1 Otendar	Percent 20%	
>>Programmatic	Matrix	and the second of the control of the second	
	Falsification Major	Moderate Minor	,
	T distribution Triager	Percent 0%	*
	L		
The Control of the Co			
Matrix	Failure to maintain complia	nce with emission limits has resulted in the release of an insignificant an	nount
Notes		of pollutants which do not exceed protective levels.	
		Adjustment \$	7,500
	State Contracts a state of the	order of the second of the second control of the second control of the second of the s	
Violation Events			\$2,500
Violation Events			
Violation Events	Number of Violation Event		
Violation Events	Number of Violation Event		
Violation Events	Number of Violation Event		
Violation Events	See Service Andrew Control of Service Control of Se		
Violation Events	daily monthly mark only one quarterly		\$2,500
Violation Events	dally monthly	287 Number of violation days X Violation Base Pe	\$2,500
Violation Events	daily monthly mark only one quarterly.	287 Number of violation days X Violation Base Pe	\$2,500
Violation Events	daily monthly mark only one with an x quarterly semiannua	287 Number of violation days X Violation Base Pe	\$2,500
Violation Events	daily monthly mark only one with an x semiannua annual	287 Number of violation days X Violation Base Pe	\$2,500
Violation Events	daily monthly mark only one with an x semiannua annual single even	287 Number of violation days Violation Base Pe	\$2,500
Violation Events	daily monthly mark only one with an x semiannua annual single even	Violation Base Pe	\$2,500
Violation Events	daily monthly mark only one with an x semiannua annual single even	287 Number of violation days Violation Base Pe	\$2,500
na of mar et al. I have a skill the market the first the skill the skill the skill the skill the skill the skil	mark only one with an x Four quarterly events a	Violation Base Pe	\$2,500
Violation Events Good Faith Efforts	mark only one with an x Four quarterly events a	Violation Base Per Violation days The recommended (from initial testing date of August 15, 2007 through the compliance date of May 28, 2008).	\$2,500
na of mar et al. I have a skill the market the first the skill the skill the skill the skill the skill the skil	mark only one with an x Four quarterly events a sto Comply	Violation Base Per Violation days The recommended (from initial testing date of August 15, 2007 through the compliance date of May 28, 2008). 25.0% Reduction Before NOV NOV to EDPRP/Settlement Offer	\$2,500
na of mar et al. I have a skill the market the first the skill the skill the skill the skill the skill the skil	mark only one with an x mark only one with an x annual single even Four quarterly events an	Violation Base Per Violation days The recommended (from initial testing date of August 15, 2007 through the compliance date of May 28, 2008). 25.0% Reduction Before NOV NOV to EDPRP/Settlement Offer years.	\$2,500
na of mar et al. I have a skill the market the first the skill the skill the skill the skill the skill the skil	mark only one with an x annual single even Four quarterly events a s to Comply Extraordinar Ordinar	Violation Base Per Violation days The recommended (from initial testing date of August 15, 2007 through the compliance date of May 28, 2008). 25.0% Reduction Before NOV NOV to EDPRP/Settlement Offer Settlement	\$2,500
na of mar et al. I have a skill the market the first the skill the skill the skill the skill the skill the skil	mark only one with an x mark only one with an x annual single even Four quarterly events an	Violation Base Per Violation days The recommended (from initial testing date of August 15, 2007 through the compliance date of May 28, 2008). 25.0% Reduction Before NOV NOV to EDPRP/Settlement Offer Settlement	\$2,500
na of mar et al. I have a skill the market the first the skill the skill the skill the skill the skill the skil	mark only one with an x annual single even Four quarterly events a sto Comply Extraordinar Ordinar	Violation Base Per Violation days The recommended (from initial testing date of August 15, 2007 through the compliance date of May 28, 2008). 25.0% Reduction Before NOV NOV to EDPRP/Settlement Offer Vivial Compliance on May 28, 2008 demonstrated.	\$2,500
na of mar et al. I have a skill the market the first the skill the skill the skill the skill the skill the skil	mark only one with an x annual single even Four quarterly events a s to Comply Extraordinar Ordinar	Violation Base Per Violation days The recommended (from initial testing date of August 15, 2007 through the compliance date of May 28, 2008). 25.0% Reduction Before NOV NOV to EDPRP/Settlement Offer Violation August 15, 2007 through the compliance date of May 28, 2008). Reduction Before NOV NOV to EDPRP/Settlement Offer Violation August 15, 2007 through the compliance date of May 28, 2008 demonstrated Retesting conducted on May 28, 2008 demonstrated	\$2,500
na of mar et al. I have a skill the market the first the skill the skill the skill the skill the skill the skil	mark only one with an x annual single even Four quarterly events a sto Comply Extraordinar Ordinar	Violation Base Per Violation days The recommended (from initial testing date of August 15, 2007 through the compliance date of May 28, 2008). 25.0% Reduction Before NOV NOV to EDPRP/Settlement Offer Vivial Compliance on May 28, 2008 demonstrated.	\$2,500
na of mar et al. I have a skill the market the first the skill the skill the skill the skill the skill the skil	mark only one with an x annual single even Four quarterly events a sto Comply Extraordinar Ordinar	Violation Base Per Violation days The recommended (from initial testing date of August 15, 2007 through the compliance date of May 28, 2008). 25.0% Reduction Before NOV NOV to EDPRP/Settlement Offer Violation August 15, 2007 through the compliance date of May 28, 2008). Reduction Before NOV NOV to EDPRP/Settlement Offer Violation August 15, 2007 through the compliance date of May 28, 2008 demonstrated Retesting conducted on May 28, 2008 demonstrated	\$2,500 enalty \$10,000 \$2,500
Good Faith Efforts	mark only one with an x Four quarterly events a sto Comply Extraordinar Ordinar N/.	Violation Base Per state of August 15, 2007 through the compliance date of May 28, 2008). 25.0% Reduction Before NOV NOV to EDPRP/Settlement Offer V X X (mark with x) Retesting conducted on May 28, 2008 demonstrated compliance with permit limits. Violation Substitution Substitution (violation days)	\$2,500 enalty \$10,000 \$2,500
Good Faith Efforts	mark only one with an x annual single even Four quarterly events a sto Comply Extraordinar Ordinar	Violation Base Per Violation Base Per Violation Base Per State Per Per Per Per Per Per Per Per Per Pe	\$2,500 enalty \$10,000 \$2,500
Good Faith Efforts	mark only one with an x Four quarterly events a sto Comply Extraordinar Ordinar N/A Note	Violation Base Per violation days X Violation Base Per violation Bas	\$2,500 enalty \$10,000 \$2,500
Good Faith Efforts	mark only one with an x Four quarterly events a sto Comply Extraordinar Ordinar N/.	Violation Base Per Violation Base Per Statutory Limit Test	\$2,500 enalty \$10,000 \$2,500
Good Faith Efforts	mark only one with an x Four quarterly events a sto Comply Extraordinar Ordinar N/A Note	Violation Base Per violation days X Violation Base Per violation Bas	\$2,500 enalty \$10,000 \$2,500 \$2,500 \$2,500

	E	conomic	Benefit W	/orks	sheet		
Respondent	: Valero Refining	-Texas, L.P.	and the second sections	at a seaso	. I III **	The same of the sa	What I make her than I
Case ID No							
Reg. Ent. Reference No							
Media							Years of
						Percent Interest	Depreciation
Violation No		grant, random et e promptiment	programma eta,		organizer i semonari ki jeser	January William Control	Depreciation
돌아님들이 그는 살이 그 나는데 살이				3 4		5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$		jan elejakorja				
Delayed Costs			The Section				
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	-1∃ an/a di	\$0
Record Keeping System				0.00	\$0	n/a 🔅	\$0
Training/Sampling				0.00	\$0	t v n/a	\$0
Remediation/Disposal				0.00	\$0	n / s n/a	\$0
Permit Costs	\$5,000	17.4		0.00	\$0	型與無點n/asa 基础	\$0
Other (as needed)	\$5,000	15-Aug-2007	28-May-2008	0.79	\$197	in/air	\$197
Notes for DELAYED costs Avoided Costs		of testing a	and Final date is w	hen rete	sting demonstrated	nce. Date required i d compliance. one-time avoided c	
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$O
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$5,000]		TOTAL		\$197

PCL XL error

Warning:

IllegalMediaSource

Compliance History

ustomer/Respondent/Owner-Operator:	CN600127468	Valero Refining-Texas, L.P.		Classification: AVERAGE	Rating: 6.12
egulated Entity:	RN100211663	VALERO CORPUS CHRISTI EAST PLANT	REFINERY	Classification: AVERAGE	Site Rating: 11.4
Number(s):	AIR OPERATING	PERMITS	ACCOUNT I	NUMBER	NE0043A
	AIR OPERATING	PERMITS	PERMIT		1231
	AIR OPERATING	PERMITS	PERMIT		2238
	AIR OPERATING	PERMITS	PERMIT		2239
	AIR OPERATING	PERMITS	PERMIT		2250
	WASTEWATER		PERMIT		WQ0000465000
	WASTEWATER		PERMIT		TX0006904000
	WASTEWATER		PERMIT		TX0006904
	AIR NEW SOURC	E PERMITS	ACCOUNT N	JI IMBÉR	NE0476L
	AIR NEW SOURC		REGISTRAT		71884
•					
	AIR NEW SOURC		ACCOUNT N	NUMBER	NE0043A
	AIR NEW SOURC		PERMIT		1084
	AIR NEW SOURC		PERMIT		1085
	AIR NEW SOURC	E PERMITS	PERMIT		1152
	AIR NEW SOURC	E PERMITS	PERMIT		2937
	AIR NEW SOURC	E PERMITS	PERMIT		9344
	AIR NEW SOURC	E PERMITS	PERMIT	·	10923
	AIR NEW SOURC	E PERMITS	PERMIT		11456
	AIR NEW SOURC		PERMIT		11652
	AIR NEW SOURC		PERMIT		
					13764
	AIR NEW SOURC		PERMIT		2180A
	AIR NEW SOURC		PERMIT		3477
	AIR NEW SOURC		PERMIT		3783
	AIR NEW SOURC	E PERMITS	PERMIT		5285A
	AIR NEW SOURC	E PERMITS	PERMIT		5487A
	AIR NEW SOURC	E PERMITS	PERMIT		5488A
	AIR NEW SOURC	E PERMITS	PERMIT		16859
	AIR NEW SOURC	E PERMITS	PERMIT		21656
	AIR NEW SOURC		PERMIT		21563
	AIR NEW SOURC		PERMIT		22390
	AIR NEW SOURC				
			PERMIT		30275
	AIR NEW SOURCE		PERMIT		41936
	AIR NEW SOURC		PERMIT		46768
	AIR NEW SOURC		REGISTRAT	ION	75588
	AIR NEW SOURCE	E PERMITS	AFS NUM		4835500177
	AIR NEW SOURCE	E PERMITS	AFS NUM		4835500018
	AIR NEW SOURCE	E PERMITS	REGISTRAT	ION .	72781
	AIR NEW SOURCE	E PERMITS	EPA ID		PSDTX1023M1
	AIR NEW SOURCE	E PERMITS	EPA ID		PSDTX1023
	AIR NEW SOURCE		REGISTRAT	ON	78472
	AIR NEW SOURCE				
	AIR NEW SOURCE		REGISTRAT		78481
			REGISTRAT	*	84566
		HAZARDOUS WASTE	SOLID WAS	E REGISTRATION #	30530
	GENERATION		(SWR)		
	INDUSTRIAL AND GENERATION	HAZARDOUS WASTE	EPA ID		TXD008132268
	IHW CORRECTIVE	EACTION	SOLID WAST (SWR)	E REGISTRATION #	. 30530
	INDUSTRIAL AND STORAGE	HAZARDOUS WASTE	PERMIT		50261
	WASTEWATER LI		LICENSE		WQ0000465000
	COMPLIANCE PLA		PERMIT		50261
	WASTE WATER G	ENERAL PERMIT	PERMIT		TXG670074
ation:	1300 CANTWELL L	N, CORPUS CHRISTI, TX, 7840	07	Rating Date: 9/1/2007 Repea	at Violator: NO
EQ Region:	REGION 14 - CORE	PUS CHRISTI			
	June 12, 2008				

CH-B

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name:

Audra Ruble

Phone:

361-825-3126

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period?

2. Has there been a (known) change in ownership of the site during the compliance

Yes

period? 3. If Yes, who is the current owner?

Valero Refining-Texas, L.P.

Coastal Refining & Marketing, Inc.

Coastal Refining and Marketing Inc

4. if Yes, who was/were the prior owner(s)? 5. When did the change(s) in ownership occur?

11/08/2004

Components (Multimedia) for the Site:

A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

Effective Date: 11/16/2003

ADMINORDER 2002-1055-AIR-E

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)

Rgmt Prov:

Description: Failure to obtain regulatory authority or meet the demonstration requirements of 30 TAC

101.11 for emissions resulting from an upset event 11/2/01.

Classification: Moderate

Citation:

30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)

Description: Failure to prevent visible emissions from a gas flare for a duration of less than five minutes

in a two hour period during an upset event on 11/2/01

Effective Date: 11/23/2005

COURTORDER

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter F 101.201(a)(1)

Description: Failure to provide notification of reportable emissions, released as a result of emissions events at the Vacuum Jet Compressor on September 21, 2002 and February 7, 2003, within 24 hours of

discovery.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)

Ramt Prov:

TCEQ Permit 6797 PA

Description: Failure to obtain regulatory authority for, or satisfy all of the demonstration criteria to exempt from compliance limitations, emissions involving the Vacuum Jet Compressor during eleven emissions

events.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)

Rqmt Prov:

TCEQ Permit 6797 PA

Description: Failure to obtain regulatory authority for, or satisfy all of the demonstration criteria to exempt from compliance limitations, emissions involving the Ingersoll Rand (IR) Compressor during an emissions event on June 27, 2002.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)

30 TAC Chapter 116, SubChapter B 116.115(c)

Rgmt Prov:

TCEQ Permit 21655 PA

Description: Failure to obtain regulatory authority for, or satisfy all of the demonstration criteria to exempt from compliance limitations, emissions involving the Sulfur Recovery Unit Incinerator during an emissions event which started on June 20, 2002 and ended on June 24, 2002.

Classification: Minor

Citation:

30 TAC Chapter 101, SubChapter F 101.201(a)

Description: Failure to provide rule required information in the notification of a reportable emissions, released as a result of emissions events at the Vacuum Jet Compressor on September 23, 2003, to the commission's regional office within 24 hours of discovery.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(b)(2)

General Conditions PA Ramt Prov:

Description: Failure to obtain regulatory authority for, or satisfy all demonstration criteria to exempt from compliance limitations, the emissions (including approximately 3 tons of sulfur dioxide) that were released from the Vacuum Jet Compressor facility during an emissions event on September 23, 2003.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(H)

Ramt Prov: 6797 PA

Description: Failure to satisfy all demonstration criteria in 30 TAC §101.222(b) and (c) and obtain regulatory authority for the emissions (including approximately 89 tons of sulfur dioxide) that were released from the Vacuum Jet Compressor facility during emissions events and scheduled activities.

Classification: Moderate

Citation: 30 TAC Chapter 112, SubChapter B 112.31

Description: Failure to prevent emissions of hydrogen sulfide from a source or sources operated on a property or multiple sources operated on contiguous properties from exceeding a net ground level

concentration of 0.80 parts per million averaged over a 30-minute period.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Ramt Prov: SC 1 PA

Description: Failure to satisfy all demonstration criteria in 30 TAC §101.222(b) and obtain regulatory authority for the emissions (including approximately 6.3 tons of sulfur dioxide) that were released from the Vacuum Jet Compressor facility during an emissions event on or about May 5, 2004.

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)

Description: Failure to prevent visible emissions from the flare (EPN: EP-FLARE1) from exceeding the

required limit, as reported on January 21, 2004 in incident 33605.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

Description: Failure to notify the TCEQ Corpus Christi Region Office within twenty four hours after the

discovery of a reportable emissions event.

Classification: Moderate

Citation: 30 TAC

30 TAC Chapter 116, SubChapter B 116.115(c)

Rgmt Prov: Special Condition 1 PERMIT

Description: Failure to satisfy all demonstrations criteria in 30 TAC §101.222(b) and gain an affirmative

defense for the unauthorized emissions that were released during TCEQ incident 37739.

Classification: Moderate

Rqmt Prov: Provision No. 3 PERMIT

Description: Failed to prevent the discharge of floating solids and visible foam in other than trace

amounts at Outfall 001.

Effective Date: 12/30/2005

ADMINORDER 2001-1023-AIR-E

Classification: Moderate

Citation: 30 TAC

30 TAC Chapter 101, SubChapter A 101.6(a)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC1 PERMIT

Description: Fail. obtain regulatory auth. or meet demonstration requirements of 30TAC101.11 for

emissions resulting from upset event that occurred 7/2/00 - 7/7/00.

Classification: Minor

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Fail. maintain complete records regarding upset event that occurred on 9/8/2000.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Samt Brown SC1 PERMIT

Description: Fail. obtain regulatory auth. or meet demonstration requirements of 30TAC101.11 for

emissions resulting from upset events that occurred on 7/2/00 thru 7/7/00.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116,115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC1 PERMIT

Description: Fail. obtain regulatory auth. or meet demonstration requirements of 30TAC101.11 for

emissions resulting from upset that occurred on 9/26/00.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rgmt Prov: SC1 PERMIT

Description: Fail. obtain regulatory auth. or meet demonstration requirements of 30TAC101.11 for

emissions resulting from upset event that occurred on 9/26/00.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Ramt Prov: SC1 PERMIT

Description: Fail. obtain regulatory auth. or meet demonstration requirements of 30TAC101.11 for

emissions resulting from 20 upset events at crude & vacuum unit.

Classification: Minor

Citation: 30 TAC Ch

30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Fail. maintain flare observation log for 4 flares for may & june 2000. & for east plt. main flare

for december 2000.

Classification: Moderate

Citation:

30 TAC Chapter 115, SubChapter B 115.114(b)(2) 30 TAC Chapter 115, SubChapter B 115.114(b)(3) 30 TAC Chapter 115, SubChapter B 115.114(b)(4) 5C THC Chapter 382, SubChapter A 382.085(b)

Description: Fail. visually inspect or physically measure secondary seal gaps of vessels numbered 84,

98, 100, 151, 153, 355 & 358 at least once every 12 months during calendar yr, 2000.

Classification: Moderate

Citation:

30 TAC Chapter 115, SubChapter D 115.322(5)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Fail. mark applicable pipeline valves & pressure relief valves in gaseous VOC serv. in

manner readily obvious to monitoring personnel.

Classification: Moderate

Citation:

30 TAC Chapter 115, SubChapter D 115.324(1)(C)

30 TAC Chapter 115, SubChapter D 115.326(2)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Fail. measure emissions from all affected process drains on yearly basis.

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(1)

30 TAC Chapter 101, SubChapter A 101.20(2)
30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 115, SubChapter D 115.325(1)
30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.485(b) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(h) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.180(b)

Rqmt Prov:

SC 11 & 12 PERMIT

SC 13F PERMIT
SC 16F & 16G PERMIT
SC 1F & 1G PERMIT
SC 3F & 3G PERMIT
SC 5 & 6 PERMIT
SC 5F. 5G & 6 PERMIT

SC 6 PERMIT

Description: Fail. properly conduct test method 21.

Classification: Minor

Citation:

30 TAC Chapter 115, SubChapter D 115.326(1)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Fail. submit monitoring program plan which includes list of refinery units & quarter in which they will be monitored copy of log book format & make & model of monitoring equip. to be used.

Classification: Moderate

Citation:

30 TAC Chapter 115, SubChapter D 115.327(4)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Fail. submit required compliance plan & start up notification before #2 reformer at Quintana plt. was re-started in 1/2001.

Classification: Minor

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:

SC13 PERMIT SC29E PERMIT

Description: Fail.submit accurate summ.rpt. for SRU#1 for 3rd qurtr. cal. yr. 1999(3Q99)&for SRU#1 &SRU #2 for 2Q00 &fail. to submit CMS EER for 1Q97,2Q97,4Q98 &2Q99 for fuel gas hydrogen sulfide content 3Q00 SRU#1 S02 emissions,3Q97 &1Q00 co-gen.unit NOX emiss.

Classification: Minor

Citation:

30 TAC Chapter 116, SubChapter B 116.115(b)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Fail, submit rpt, at least semi-annual cert, indicating whether any changes were made in opers. SRU#1 & SRU#2 emission control system when SO2 data wasn't available from CEMS.

Classification: Minor

Citation:

30 TAC Chapter 101, SubChapter A 101.20(1) 40 CFR Part 60, Subpart NNN 60.665(a)

40 CFR Part 60, Subpart NNN 60.665(d)

Description: Fail. submit notification indicating method of compliance w/ 40CFR60.662 & fail. provide

records of flow rates & semi-annual rpts. as required.

Classification: Minor

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC11A PERMIT

SC13A PERMIT SC16A PERMIT SC3A PERMIT SC4A PERMIT

SC5A & 6A PERMIT

Description: Fail. provide records of throughput and service and emission control tanks

repairs/replacements.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Ramt Prov:

SC11F PERMIT SC16F PERMIT

SC4F PERMIT SC6F PERMIT SCF5 PERMIT

Description: Fail. utilize directed maintenance program to monitor accessible valves.

Classification: Minor

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Ramt Prov: SP 8D,8E &8F PERMIT

Description: Fail. maintain record of semi-annual & yr.-to-date emissions calculations for annual &

short-term emissions for vessels.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(b)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: GC1 PERMIT

Description: Fail to produce, upon request, proper records of CO emissions.

Classification: Minor

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Ramt Prov: SC8 PERMIT

Description: Failed to include emissions from the CO boiler and the collapse of the roof of storage vessel

no. 352 in teh EIU for calendar year 1999.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Ramt Prov: SC1 PERMI

Description: Fail, maintain emissions of CO, VOC & PM at or below allowable emission limits for reactor

heater 3-H-3 for calendar yr. 2000.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC3

SC3 PERMIT

Description: Fail. comply w/ required fuel rate limit for reactor heater 3-H-3 from 10/1999 - 6/2000 &

8/2000

Classification: Minor

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382,085(b)

Rqmt Prov:

SC8A PERMIT

Description: Fail. properly maintain records of fuel throughput for reactor heater 3-H-3.

Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC7 PERMIT

Description: Fail, report results of annual test runs to confirm accuracy of weekly sampling procedures

of SC4 of TNRCC air permit #3784A for 1999 & 2000.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)

Description: Fail maintain emissions of VOC, NOx & CO at or below allowable emission limits for #2 reformer flare REF2FL1 for calendar yrs. 1999 & 2000 and misrepresentation of these emissions in

1/22/92 permit app.. Classification: Minor

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)

Rgmt Prov: SC5 PERMIT

Description: Fail. maintain records of daily avg. fuel gas usage for heater QL-10.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(b) 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: GC8 PERMIT

Description: Fail. maintain emissions of CO at or below allowable emission limits for heater QH-125 for

calendar yrs. 1999 & 2000. Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC1 PERMIT

Description: Fail. maintain emissions of VOC at or below allowable emission limits for heater Q10-H-1 for

calendar yr. 2000.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC6 PERMIT

Description: Fail. comply w/ required feed rate limit for heater Q10-H-1 for 12/1999.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC4 PERMIT

Description: Fail. comply w/ required hourly firing rate limit for heater 8-H-6 from 1/1 to 5/27, 6/3 to 6/18, 7/3 to 7/6 & 7/21 to 9/9, 1999; and fail. comply w/ required hourly firing rate limit for heaters 8-H-3 &

8-H-5 for 17 hrs. between 1/22 & 4/21, 1999.

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC11E PERMIT

Description: Fail. manually switch CEMS monitor between stacks cogen-1 & cogen-2 every 3 months

during calendar yrs. 1999 & 2000.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC1 OF

Description: Failure to produce on request records of VOC emission levels for for Coker Heater 7-H-2

for calendar year 1999 and for emission levels of VOCs, PM and CO for calendar year 2000

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.116(b)(1)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: misrepresented the West Plant Flare as an emergency flare instead of a process flare

Classification: Minor

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Pamt Prov: SC18 OP

Description: failed to complete all samples required for cooling water VOC leak detection sampling

ADMINORDER 2007-0131-AIR-E Effective Date: 08/23/2007

Classification: Moderate

30 TAC Chapter 101, SubChapter A 101.20(3) Citation:

> 30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter D 382.085(b)

Rgmt Prov: TCEQ 2937 / SC 1 PA

Description: Failure to satisfy all demonstration criteria in 30 TAC §101.222(b) and gain an affirmative defense against penalties for unauthorized emissions that were released from the No. 4 Vacuum Unit during an emissions event (TCEQ STEERS No. 75676) which occurred on or about May 10, 2006.

Effective Date: 11/19/2007

ADMINORDER 2006-0468-MLM-E

Classification: Moderate

2D TWC Chapter 26, SubChapter A 26.121(a) Citation:

30 TAC Chapter 335, SubChapter A 335.4

Description: Failed to prevent the discharge of slop oil and wastewater to the environment, as documented during an investigation conducted on June 20, 2006. Specifically, the investigator documented that a spill of hazardous wastewater occurred from Tank 109 into the earthen dike surrounding the tank on June 1, 2006, and the contaminated soils in the earthen dike had not been removed and properly disposed.

Classification: Moderate

30 TAC Chapter 305, SubChapter F 305.125(9) Citation:

Romt Prov: TCEQ Water Quality Permit No. 00465 PERMIT

Description: Failed to report any noncompliance which may endanger human health, safety, or the environment within 24 hours of becoming aware of the noncompliance, as documented during an investigation conducted on June 20, 2006. Specifically, Valero did not submit notification of the overflow of slop oil and hazardous wastewater from Tank 109.

Effective Date: 04/14/2008

ADMINORDER 2007-1189-AIR-E

Classification: Moderate

30 TAC Chapter 101, SubChapter A 101.20(3) Citation:

30 TAC Chapter 116, SubChapter G 116.715(a)

5C THC Chapter 382, SubChapter D 382.085(b)

No.: 2937 PERMIT Rqmt Prov:

PSD-TX-1023M1 PERMIT

Description: This permit authorizes emissions only from those points listed in the attached table entitled

"Emission Sources - Emission Caps and Individual Emission Limitations".

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

> 1 06/16/2003 (159893)2 06/19/2003 (114250)3 06/25/2003 (36014) 4 07/24/2003 (159897)5 08/18/2003 (296115)6 08/28/2003 (29654)09/22/2003 (296117)10/21/2003 (296119)11/21/2003 (296120)10 12/16/2003 (147906)11 12/17/2003 (258116)12 12/22/2003 (296121)(251552)13 01/06/2004 14 01/20/2004 (296123)15 02/17/2004 (332781)16 02/18/2004 (296104)17 03/19/2004 (296107)03/26/2004 18 (265025)03/26/2004 19 (265011) 20 04/15/2004 (258186)21 04/22/2004 (296108)

> > (265353)

(296110)

(274416)

22 05/17/2004

23 05/18/2004

24 06/07/2004

25	06/15/2004	(269771)
26	06/21/2004	(296112)
27	06/22/2004	(270344)
28	06/30/2004	(277545)
29	06/30/2004	(277770)
30	07/20/2004	(352431)
31	08/19/2004	(352432)
		, ,
32	08/27/2004	(289772)
33	08/31/2004	(267107)
34	09/13/2004	(352433)
35	10/07/2004	(292867)
36	10/21/2004	(352434)
37	10/21/2004	(334534)
38	11/23/2004	(352435)
39	11/30/2004	(342556)
40	11/30/2004	(342509)
41	12/06/2004	(342868)
42	12/22/2004	(381980)
43	12/28/2004	(345193)
44	01/14/2005	(381981)
45	02/10/2005	(342544)
46	02/22/2005	(381978)
47	03/18/2005	(381979)
48	04/11/2005	(350299)
49	04/11/2005	
		(373717)
50	04/19/2005	(430046)
51	05/23/2005	(430047)
52	06/02/2005	(394325)
53	06/02/2005	(394464)
54	06/21/2005	(430048)
55	06/27/2005	(375543)
56	07/05/2005	(397974)
57	07/09/2005	(397621)
58	07/15/2005	(397268)
59	07/20/2005	(430049)
60	08/19/2005	(440955)
61	08/19/2005	(405862)
62	08/24/2005	(402929)
63	08/30/2005	(418769)
64	09/19/2005	(440956)
65	10/14/2005	(433213)
66	10/24/2005	(440957)
67	10/25/2005	(432976)
68	11/17/2005	(403617)
69	11/21/2005	(468638)
70	12/21/2005	(468639)
71	12/21/2005	(439798)
72	01/23/2006	(468640)
73	01/28/2006	(453260)
74	02/08/2006	(453776)
75	02/22/2006	(468635)
76	03/20/2006	(468637)
77	03/28/2006	
	04/19/2006	(458315)
78 79	04/19/2006	(462919)
		(498341)
80	05/08/2006	(465221)
81	05/08/2006	(464657)
82	05/23/2006	(498342)
83	05/25/2006	(479708)
84	06/06/2006	(480816)
85	06/19/2006	(465775)
86	06/21/2006	(498343)
87	07/07/2006	(485108)
88	07/10/2006	(462991)
89	07/19/2006	(481002)
90	07/20/2006	(498344)
91	08/18/2006	(520356)
92	08/22/2006	(483293)

93	08/29/2006	(488424)
94	08/29/2006	(509898)
95	08/30/2006	(509065)
96	09/13/2006	(510965)
97	09/19/2006	(520357)
98	10/16/2006	(511059)
99	10/20/2006	(544689)
100	11/16/2006	(544690)
101	11/30/2006	(531095)
102	12/05/2006	(532536)
103	12/06/2006	(532499)
104	12/19/2006	(544691)
105	12/20/2006	(511278)
106	01/08/2007	(533142)
107	01/19/2007	(532903)
108	01/22/2007	(544692)
109	01/26/2007	(537711)
110	01/26/2007	(534329)
111	02/05/2007	(517485)
112	02/08/2007	(538991)
113	02/20/2007	(575585)
114	02/21/2007	(541385)
		, ,
115	02/26/2007	(533896)
116	03/16/2007	(553836)
117	03/20/2007	(575586)
118	04/23/2007	(575587)
119		(575588)
	05/21/2007	, ,
120	06/04/2007	(540935)
121	06/22/2007	(575589)
122	06/29/2007	(554747)
123	07/18/2007	(575590)
124	07/27/2007	(564471)
125	08/01/2007	(565791)
126	08/20/2007	(607581)
127	08/20/2007	(563339)
128	08/21/2007	(562042)
129	08/22/2007	(570744)
130	08/28/2007	(573456)
131	08/29/2007	(573753)
132	08/29/2007	(573754)
	08/29/2007	. ,
133		(573755)
134	08/30/2007	(570541)
135	08/31/2007	(567701)
136	09/14/2007	(594164)
137	09/21/2007	(607582)
138	10/09/2007	(595753)
139	10/19/2007	(597755)
140	10/19/2007	(619627)
141	10/22/2007	(597742)
142	10/31/2007	(599527)
		, ,
143	10/31/2007	(598205)
144	11/09/2007 ·	(599099)
145	11/14/2007	(598476)
146	11/20/2007	(619628)
147	12/12/2007	(610539)
		. '
148	12/12/2007	(609425)
149	12/17/2007	(611173)
150	12/19/2007	(619629)
151	12/21/2007	(612065)
152	01/17/2008	
		(672155)
153	01/25/2008	(614986)
154	02/15/2008	(618558)
155	02/21/2008	(672153)
156	02/22/2008	(636427)
157	02/28/2008	(636485)
158	03/03/2008	(637496)
159	03/20/2008	(672154)
160	03/31/2008	(640957)
		, ,

```
04/08/2008
                          (636416)
    161
    162 04/14/2008
                          (641040)
    163
         05/05/2008
                          (654417)
         05/22/2008
                          (670929)
    164
         05/23/2008
                          (680306)
    165
    166
         05/28/2008
                          (671660)
    167
         05/30/2008
                          (654560)
    168
         05/30/2008
                          (657246)
    169
         05/30/2008
                          (641327)
    170
        05/31/2008
                          (532287)
    171 06/10/2008
                          (641355)
    172 06/12/2008
                          (636082)
Written notices of violations (NOV). (CCEDS Inv. Track. No.)
       Date: 02/17/2004
                               (332781)
      Self Report?
                                                                                  Classification:
                                                                                                    Moderate
      Citation:
                          30 TAC Chapter 305, SubChapter F 305.125(1)
                          30 TAC Chapter 305, SubChapter F 305.125(17)
                          NON-RPT VIOS FOR MONIT PER OR PIPE
      Description:
      Date: 08/19/2004
                               (289772)
      Self Report?
                                                                                                    Moderate
                                                                                  Classification:
      Citation:
                          30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
      Description:
                          Failure to prevent visible emissions from the flare (EPN: EP-FLARE1) from
                          exceeding the required limit, as reported on January 21, 2004 in incident 33605.
      Date: 01/31/2006
      Self Report?
                                                                                                    Moderate
                                                                                 Classification:
      Citation:
                          30 TAC Chapter 305, SubChapter F 305.125(1)
                          TWC Chapter 26 26.121(a)
      Description:
                          Failure to meet the limit for one or more permit parameter
      Date: 08/23/2006
                               (488424)
      Self Report?
                                                                                                   Minor
                                                                                 Classification:
      Citation:
                          30 TAC Chapter 113, SubChapter C 113,340
                          40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63,654(i)
                          Failure to maintain records as required by applicable federal rule.
      Description:
      Self Report?
                                                                                 Classification:
                                                                                                   Moderate
      Citation:
                          30 TAC Chapter 113, SubChapter C 113.130
                          40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)
      Description:
                          Failure to conduct required monthly monitoring of six pumps.
      Self Report?
                                                                                 Classification:
                                                                                                   Moderate
      Citation:
                          30 TAC Chapter 101, SubChapter A 101.20(2)
                          30 TAC Chapter 122, SubChapter B 122,143(4)
                          40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61,345(b)
      Ramt Prov:
                          OP FOP O-02250, Special Condition No. 15(A)
      Description:
                          Failure to conduct visual inspections as required by federal rule.
      Date: 08/29/2006
                               (509065)
      Self Report?
                                                                                 Classification:
                                                                                                   Moderate
      Citation:
                          30 TAC Chapter 101, SubChapter A 101.20(2)
                          40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345(b)
      Rgmt Prov:
                          OP O-01231 STC No. 10A
      Description:
                          Failure to visually inspected initially and quarterly thereafter to ensure that all
                          containers are closed and gasketed properly.
      Self Report?
                                                                                                   Moderate
                                                                                 Classification:
      Citation:
                          30 TAC Chapter 115, SubChapter B 115.132(b)(1)
      Rqmt Prov:
                          OP O-01231 STC 13
      Description:
                          The Regulated Entity failed to keep the gauging and sampling devices vapor-tight
                          except during gauging or sampling, citing 30 TAC § 115.132(b)(1) / FOP No.
                          O-01231 Permit Provision No. 13 for the reporting period covering, 10/11/2005 to
                          10/17/2005.
     Date: 08/29/2006
                              (509898)
      Self Report?
                                                                                                   Minor
                                                                                 Classification:
                          30 TAC Chapter 122, SubChapter B 122.145(2)(A)
      Citation:
      Rgmt Prov:
                          OP FOP No. O-02238
```

E.

Description: Failure to submit a complete deviation report for Title V Federal Operating Permit
No. O-02238 for the semi-annual reporting periods of April 19, 2005 through
October 18, 2005 and October 19, 2005 through April 18, 2006. Specifically, the

deviation reports were inadequate as the probable cause was

NO Self Report?

30 TAC Chapter 101, SubChapter A 101,20(2)

30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345(b)

Ramt Prov:

Citation:

OP FOP O-02238 Special Term & Condition 10A

Description:

Failure to conduct visual inspections of vacuum trucks during the third quarter

(July 1, 2005 through September 30, 2005) as required by applicable federal rule.

Date: 05/31/2007

(575589)

Self Report?

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)

Description:

Failure to meet the limit for one or more permit parameter

Date: 08/24/2007

(570744)

Self Report?

YES

Citation:

Citation:

30 TAC Chapter 101, SubChapter A 101.20 30 TAC Chapter 115, SubChapter D 115.322(4) 30 TAC Chapter 116, SubChapter G 116,715(a) 30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)

Rgmt Prov:

PERMIT Special Condition 24E (2937/PSDTX1023M1)

OP Special Term & Condition 1A (FOP O-2238)

Description:

Failure to equip each open-ended valve or line with a cap, blind flange, plug, or a second valve. According to the TCEQ Enforcement Initiation Criteria, this is a

Category C violation, Subcategory 10.

Self Report?

NO

Classification:

Classification:

Classification:

Classification:

Moderate

Moderate

Moderate

Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(2) 30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 113, SubChapter C 113,130 30 TAC Chapter 115, SubChapter D 115.322(4) 30 TAC Chapter 116, SubChapter G 116,715(a) 30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)

Rgmt Prov:

PERMIT Special Condition 25E (2937/PSDTX1023M1)

OP Special Term & Condition 1A (FOP 0-2238)

Description:

Failure to equip each open-ended valve or line with a cap, blind flange, plug, or a second valve. According to the TCEQ Enforcement Initiation Criteria, this is a

Category C violation, Subcategory 10.

Self Report?

Date: 08/29/2007

(573456)

Citation:

30 TAC Chapter 115, SubChapter D 115.322(2)

30 TAC Chapter 116, SubChapter G 116,715(a)

Rgmt Prov:

PERMIT Permit No. 2937/PSD-TX-1023, SC 24(I)

Description:

Failure to conduct repairs of leaking components no later than 15 calendar days after they were found to be leaking. Specifically, twenty-two valves on the following dates: 6/13/2006, 6/14/2006, 6/17/2006, 6/21/2006, 6/23/2006 and 8/29/2006, and three pumps on the following dates: 6/13/2006, 6/23/2006 and

7/31/2006, were found to be leaking.

Self Report?

Classification:

Classification:

Classification:

Minor

Citation:

30 TAC Chapter 113, SubChapter C 113.120 30 TAC Chapter 113, SubChapter C 113.340

40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.646(a) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(2)(ii)

Description:

Failure to conduct a primary seal inspection on storage tank TK-326 at the end of

its 10 year inspection cycle.

Self Report?

Minor

Citation:

30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 113, SubChapter C 113.340

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(c)(2) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)

Description:

Failure to conduct an initial repair attempt within a 5-day period after a pump (tag no. E16169) located in the EP South Tank Farm Area was detected as leaking on 9/22/2006. The initial repair attempt was due no later than 09/27/2006 and was

not performed until 09/28/2006.

NO Classification: Moderate Self Report? 30 TAC Chapter 113, SubChapter C 113.130 Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(c) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(c)(1) Failure to repair a pump within the 15-day period after it was discovered to be Description: leaking on 6/26/2006. The pump, tag no. O10963, was due to be repaired no later than 7/11/2006. The pump was repaired on 7/24/2006. Moderate Classification: Self Report? Citation: 30 TAC Chapter 113, SubChapter C 113,130 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(c) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1) Description: Failure to repair a valve within the 15-day period after it was discovered to be leaking on 6/24/2006. The valve, tag no. O10834, was due to be repaired no later than 7/9/2006. The valve was repaired on 7/12/2006. Self Report? NO Classification: Minor Citation: 30 TAC Chapter 113, SubChapter C 113.130 30 TAC Chapter 113, SubChapter C 113.340 30 TAC Chapter 115, SubChapter D 115.322(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a) Failure to properly operate or equip each open-ended line (OELs) with a cap. Description: blind flange, plug or a second valve. Specifically, two open-ended lines located in the South Tank Farm and identified as tag nos.: 17702 and 17713 were not equipped with a cap, blind flange, plug or a second valve as required. The OELs were discovered on 8/30/2006 and 9/13/2006, respectively. Self Report? Classification: Minor Citation: 30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 113, SubChapter C 113.340 30 TAC Chapter 115, SubChapter D 115.325(1) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.485(b)(1) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63,648(a) Failure to perform equipment calibration and monitoring of components according Description: to test Method 21. Specifically, cylinder standards of 500 parts per million (ppm), 1,000 ppm, 2,000 ppm and 10,000 ppm were passed documented shelf life. Date: 08/30/2007 (570541) Self Report? Moderate Classification: Citation: 30 TAC Chapter 101, SubChapter A 101.20(2) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-2(c) Rgmt Prov: OP O-01750 Description: Failure to comply with EPA standards, any applicable NESHAPS promulgated by the EPA pursuant to the Federal Clean Air Act, §112, as amended; Date: 10/31/2007 Self Report? Classification: Moderate Citation: 2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1) Failure to meet the limit for one or more permit parameter Description: Environmental audits. Type of environmental management systems (EMSs). Voluntary on-site compliance assessment dates. Participation in a voluntary pollution reduction program.

F.

G.

H.

N/A

N/A

N/A

N/A Sites Outside of Texas N/A

Early compliance.

	Penalty	Calculation	n Worksheet (P	CW)	
Policy Revision 2 (Sep.	tember 2002)			PCW Revision	n March 19, 2007
DATES Assigned PCW	9-Apr-2007 13-Feb-2009 Screenin	ng 16-Apr-2007	EPA Due 31-Dec-2007		
RESPONDENT/FACILITY Respondent Reg. Ent. Ref. No. Facility/Site Region		.	Major/Minor Source	Maior	 1
	N12: 104: 800. 102:00; 13:1		Major/Millior Gourse		ANNAROS NOS ESTANOS ANTIGORAS (COM
Media Program(s)	2007-1813MLM-E Air	Maximum	Enf. Coordinator	4 Findings Kimberly Morales 5	- [\$\frac{1}{2}\$]
:	Pen	alty Calcula	tion Section		
TOTAL BASE PENAL	TY (Sum of violation	and a resource of the contract	CONTRACTOR OF THE STATE OF THE	Subtotal 1	\$35,000
ADJUSTMENTS (+/-)	TO SUBTOTAL 1				
Subtotals 2-7 are obtai	ned by multiplying the Total Base	Penalty (Subtotal 1) by	the indicated percentage. (Enhancement Subt	otals 2.3 & 7	\$69,650
Notes	Penalty enhancement du NOVs, 17 self-reported e	ie to 16 same or s ffluent discharge v	milar NOVs, five unrelated iolations, one agreed order al, and one court order with		
Culpability	No	0%	Enhancement	Subtotal 4	\$0
Notes	The Respondent	does not meet the	culpability criteria.	A CARTE CARTES	
Good Faith Effor	CAMPAGE PROPERTY AND THE PROPERTY AND TH	0%	Reduction	Subtotal 5	\$0
Extraordinary Ordinary N/A	in ja saistiin ja piilin ja saita ja s Marana ja saita ja s				
Notes	The Respondent	does not meet the	good faith criteria.	Service Control of the Control of th	
Approx.	Total EB Amounts \$67 Cost of Compliance \$21,300		Enhancement at the Total EB \$ Amount	Subtotal(6)	\$0
SUM OF SUBTOTAL	S 1-7			Final Subtotal	\$104,650
OTHER FACTORS A	S JUSTICE MAY REC	UIRE	20 6- 200	Adjustment	\$0
Reduces or enhances the Final S Notes	Subtotal by the indicated percentar	ge. (<i>Enter number on</i> i)	r, e.g30 tal -30%.)	Action to the state of the stat	
	The second section of the second second second second	and the second of the second o	Final Pe	enalty Amount	\$104,650
STATUTORY LIMIT.	ADJUSTMENT		Final Ass	essed Penalty.	\$50,000
DEFERRAL Reduces the Final Assessed Per	nalty by the indicted percentage.	(Enter number only; e.t	0% Reduction 2. 20 for 20% reduction.)	Adjustment	\$0
Notes	No deferral is	recommended for	Findings Orders		
PAYABLE PENALTY					\$50,000

Screening Date 16-Apr-2007

Docket No. 2007-1813--MLM-E

PCW

Policy Revision 2 (September 2002) PCW Revision March 19, 2007

Respondent Valero Refining-Texas, L.P.

Case ID No. 34927

Reg. Ent. Reference No. RN100238385

Media [Statute] Air

Enf. Coordinator Kimberly Morales

	Compliance History Worksheet		erynnessene etcylch station i	
ompliance History Component	Site Enhancement (Subtotal 2) Number of	Enter Number Here	Adjust.	
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	16	80%	38
1. A.	Other written NOVs	22	44%	٠, ا
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	1	20%	2
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	1	25%	
Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	1	30%	١ .
and Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%	
Convictions	Any criminal convictions of this state or the federal government (number of counts)		0%	
Emissions	Chronic excessive emissions events (number of events)	0	0%	
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)		0%	
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%	
	Plea	se Enter Yes or No	•	
	Environmental management systems in place for one year or more	No	0%	
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%	
	Participation in a voluntary pollution reduction program	No	0%]
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%	
	Adjustment F	Percentage (Sเ	ıbtotal 2)	199%
epeat Violator (Su	btotal 3)			
ar thur this No	Adjustment F	Percentage (Su	ıbtotal 3)	0%
ompliance History	Person Classification (Subtotal 7)			
Average P	erformer: Adjustment F	Percentage (Su	ıbtotal 7)	0%
ompliance History	Summary			
Compliance History Notes	Penalty enhancement due to 16 same or similar NOVs, five unrelated NOVs, 17 self-report discharge violations, one agreed order with denial, one agreed order without denial, and one denial.			
	Total Adjustment Percentage			199%

Screening Date 16-Apr-2007 Docket No. 2007-1813MLM-E	PGW
하다. 사람들은 사람들은 사람들은 사람들은 사람들은 사람들은 사람들은 사람들은	Revision 2 (September 2002)
요. (.) - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -	CW Revision March 19, 2007
Reg. Ent. Reference No. RN100238385	
Media [Statute] Air Enf. Coordinator Kimberly Morales	
Violation Number 1	
Rule Cite(s) Air Permit No. 39142, Special Condition No. 1, 30 Tex. Admin. Code § 116.715(a), ar Tex. Health & Safety Code § 382.085(b)	id
Failed to prevent unauthorized emissions during a December 11, 2006 emissions eve in the Toppers Unit, No. 3 Crude Unit, Fluidized Catalytic Cracking Unit, Alkylation Un Utilities Unit, and the Delayed Coker Unit. Specifically, during the December 11, 200 emissions event the following unauthorized emissions were released from the Violation Description Alkylation Unit and the No. 1, 2, 3, and 4 Flare Stacks over a period of 33 hours and minutes: 18,329 pounds ("lbs") of sulfur dioxide, 11,798 lbs of volatile organic compounds, and 6,229.90 lbs of carbon monoxide. Since the emissions event was avoidable Valero was unable to meet the demonstration criteria for an affirmative defense under 30 Tex. Admin. Code § 101.222.	it, 6
Base Penal	ty \$10,000
>> Environmental, Property and Human Health Matrix	
Harm Release Major Moderate Minor OR Actual x Potential Percent 100%	
>>Programmatic Matrix Falsification Major Moderate Minor Percent 0%	
Matrix Notes Human health and the environment have been exposed to a significant amount of pollutants which exceeded levels that are protective of human health and environmental receptors as a result of the violation.	
Adjustment	<u> </u>
	\$10,000
Violation Events	
Number of Violation Events 2 Number of violation days	
mark only one with an x Semiannual single event	ty \$20,000
Two daily events are recommended.	
Economic Benefit (EB) for this violation Statutory Limit Test	
Estimated EB Amount \$33 Violation Final Penalty Tot	al \$59,800
This violation Final Assessed Penalty (adjusted for limit	s) \$20,000
	Consideration of the Constant

	E	conomic	Benefit W	orks	sheet	78.48.83 (4.48.13)	
Respondent	Valero Refining	_j -Texas, L.P.	CANTEL COLOR DIN - FOR EXPLOSIONES	ijaje užraikostu tu	la a Palitalistica in anticomo de la come a como de la come de la c	. In the second section of the section of the second section of the	n Chiarteannacht a dtointáintaí an thacan a dtoiteach
Case ID No.	34927						
Reg. Ent. Reference No.	RN100238385						
Media	3	,				Percent Interest	Years of
Violation No.	. 1			anne and broken the first			Depreciation
					Carl is apply	5.0	15
7,000 Vac 18,000 A	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
	TO COMMISSION W	ni sana and ang babbahan	en dell'impliere di selektoria				
Delayed Costs							26. Yester (200
Equipment				1 0.0	T \$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	a ata n/a //	\$0
Record Keeping System				0.0	. \$0	n/a	\$0
Training/Sampling		- 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1		0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs	and the second	7 7 7 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		0.0	\$0	i n/a	\$0
Other (as needed)	\$12,000	11-Dec-2006	31-Dec-2006	0.1	\$33	n/a	\$33
Notes for DELAYED costs	caused by the	e inadvertent disco	nnection of circuit of the emissions e	breaker	rs during routine pr inal date based or	the recurrence of en reventative maintena the date all correct	ance activities.
Avoided Costs	ANN	UALIZE [1] avoide	ed costs before e	ntering	item (except for	one-time avoided o	costs)
Disposal	Call to the Carlot	The property of the second	1786 100 200 21 million	0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling	amanayaya mir	To the property of the state of		0.0	\$0	\$0	\$0
Supplies/equipment		111111111111111111111111111111111111111	The state of the s	0.0	\$0	\$0	\$0
Financial Assurance [2]	A. C. S. C.	Contract to the second	panjigumijan ng hamitua.	0.0	\$0	**************************************	\$0.
ONE-TIME avoided costs [3]	gun ik <u>a</u> gungan sam		, and the state follow the form	0.0	\$0	\$0	\$0
Other (as needed)	versites a rich co	er alm tardförderfler	Interest to the late of the	0.0	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$12,000			TOTAL		\$33
		¥.=,	'.		zacian encincarination all minimization		

Screening Date 16-Apr-2007 Docket No. 2007-1813MLM-E	r PGW
Respondent Valero Refining-Texas, L.P.	Policy Revision 2 (September 2002)
Case ID No. 34927	PCW Revision March 19, 2007
Reg. Ent. Reference No. RN100238385	
Media [Statute] Air	
Enf. Coordinator Kimberly Morales	
Violation Number 2	·
Rule Cite(s) Air Permit No. 39142, Special Condition No. 1, 30 Tex. Admin. Code § 116.715 Tex. Health & Safety Code § 382.085(b)	
Failed to prevent unauthorized emissions during a January 19, 2007 emissions the Fluidized Catalytic Cracking Unit. Specifically, during the January 19, 2 emissions event 8,844.40 lbs of unauthorized sulfur dioxide emissions were refrom Drum D-157 over a period of two hours. Since the emissions event was a Valero was unable to meet the demonstration criteria for an affirmative defense Tex. Admin. Code § 101.222.	007 leased voidable
Base	Penalty \$10,000
>> Environmental, Property and Human Health Matrix	
Harm	
Release Major Moderate Minor	
Actual x Potential Percent 50%	
Potential Potential 50%	
>>Programmatic Matrix	
Falsification Major Moderate Minor	
Percent 0%	÷.
	1
Human health and the environment have been exposed to an significant amount of pollutants. Matrix Matrix	s which
Matrix Notes did not exceed levels that are protective of human health or environmental receptors as a resi	ult of the
VIOIdIUTI	
Adjustment	\$5,000
	40,000
	\$5,000
Violation Events	
Number of Violation Events 1	
daily of cally and call	
monthly monthly	5 000
mark only one quarterly. Violation Base	Penalty \$5,000
with an X	
single event	
One single event is recommended.	
Economic Benefit (EB) for this violation Statutory Limit Tes	t.
Estimated EB Amount \$34 Violation Final Pena	Ity Total \$14,950
This violation Final Assessed Penalty (adjusted fo	or limits) \$10,000

			Benefit W	O111/		 1 - 1 - 3 - 3 - 3 - 3 - 3 - 3 - 3 - 3 -	CHRONICAL CONTRACTOR OF THE CO
Respondent	Valero Refining	-Texas I P	a said within the highland distribution has been a	and continue of Annual	akatipan makhiminakan Printenson makhiro erre e	a and a superior of the second second displacements	pagetias addisaltes action to the
Case ID No		10/40, 2					
Reg. Ent. Reference No.							•
Reg. Lint. Reference No. Media	'3					1.000	Years of
Violation No.	3					Percent Interest	Depreciatio
violation No.)		NATIONAL PROGRAMMENTO	8852N:1952			
						5.0	
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amoun
Item Description	No commas or \$						
High Court of the	Million of Harring Control of the South	100 100 100 100 100 100 100 100 100 100	AL AL AREST SEE EN COMPANY CHARLES MILLION MINISTER		muhitaniri (v. V. Ardoniri e etc., v	· · · · · · · · · · · · · · · · · · ·	The same and
Delayed Costs			4.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1				
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land		1 447, 1 1		0.0	\$0	A Noun/ave	\$0
Record Keeping System				0.0	\$0	an /an/an/an	\$0
Training/Sampling				0.0	\$0	n/aus.	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs	40.100	10 1 0007	45 5 1 0007	0.0	\$0	n/a	\$0
Other (as needed)	\$9,100	19-Jan-2007	15-Feb-2007	0.1	\$34	n/a	\$34
						nting the recurrence	
Notes for DELAYED costs						ne formation of hydr	
110100 101 PALE 11 ED 00010	Deethanizer A-					issions event. Fina	I date based o
					s were completed		
Avoided Costs	ANN	JALIZE [1] avoide	ed costs before e	ntering		one-time avoided (:osts)
Disposal				0.0	\$0	\$0	\$0
Personnel	1 277 2 1 1 1 1 4	7 27 20 1 22		0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling	manana an satu			0.0	\$0	\$0	\$0
Supplies/equipment	man, to a g		25700 LLAG 540 - 35 WI	0.0	\$0	\$0	\$0
Financial Assurance [2]		1 33334, 1111	Sufficiently to a complete	0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]		1,1000 1,100-1,1	74	0.0	\$0	\$0	\$0 \$0
Other (as needed)	10.00		2. 2. 2. 2. 2. 2. 2. 2. 2. 2. 2. 2. 2. 2	0.0	\$0	\$0	\$0
				0.4.15.000		Transportation of the	
		2 x - x - 4 x [7] + x 1 1 [9]	Talling Control of the control		files with the contract of the contract	ta di Marini di Karamatan da Kar	a de la companya del companya de la companya del companya de la co

Screening Date 16	•	and Marachaeth and a state of a contribution of the first and a second and a second and the first an	lo. 2007-1813MLM-E		PCW
\$: 영향성 이 있는 하는 사람들은 다른 사람들은	alero Refining-Texas, L.P.			Policy Revision 2 (S	September 2002)
Case ID No. 34				PCW Revision	March 19, 2007
Reg. Ent. Reference No. R					
Media [Statute] Ai					
Enf. Coordinator Ki					
Violation Number Rule Cite(s)	3	sial Condition No. 1, 20	Tex. Admin. Code § 116.715	(a) and	
	Tex	c. Health & Safety Code	§ 382.085(b)		
Violation Description	ne Saturates Gas Plant. S following unauthorized er ours and 15 minutes: 8,87 e emissions event was av	Specifically, during the Ja missions were released f 76.20 lbs of sulfur dioxid roidable Valero was unal	January 28, 2007 emissions anuary 28, 2007 emissions enuary 28, 2007 emissions efform Drum-465 over a period e and 354.90 lbs of propane, ble to meet the demonstration. Admin. Code § 101.222.	vent the of 11 Since	
			Base	Penalty	\$10,000
>> Environmental, Property and	: Human Health Mat	rix			
	Harm				
Release	Major Moderate	Minor			
OR Actual Potential	in a radius in a radius in x		Percent 50%		
Potential			Percent 50%		
>>Programmatic Matrix					
Falsification	Major Moderate	Minor	30000000A		
			Percent 0%		
			ngen sagaran ayan bar 12 km mesayanan	Construction 1	
Matrix Human health	and the environment have	e been exposed to an sign	gnificant amount of pollutants onmental receptors as a resu	s which	
Notes did not exceed to	evels triat are protective t	violation.	offinerital receptors as a resc		
			And the second s		
			Adjustment	\$5,000	
,		•			\$5,000
					• • • • • • • • • • • • • • • • • • • •
Violation Events		and the provinces			
Number of Violat	tion Events 1	1	Number of violation days		
·	IOIT EVOITED 1	L.H			
	daily				
	monthly				45.000
with on v	quarterly		Violation Base	Penalty	\$5,000
l milian A	emiannual annual annual				:
Si	ingle event x				
■ dealer	With Total Philosophy Confedence of				
				Alexander de la	
	One sin	gle event is recommend			
Economic Benefit (EB) for this			Statutory Limit Tes	:	0
Estimated E	B Amount	\$0	Violation Final Pena	ity Totai	\$14,950
	7	Γhis violation Final Ass	sessed Penalty (adjusted fo	or limits)	\$10,000
				A SHEET AND A SECOND	

Medi Violation No	V. 4					Percent Interest	Years of Depreciation
						5.0	1:
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
ltem Descriptio	n No commas or \$						
Delayed Cost	5.283222			1 0.0	\$0	I \$0 I	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	an/aras	\$0
Training/Sampling				0.0	\$0	ti virit un/a e e e e	\$0
		1		0.0	\$0	#105A 105A 105B	\$0
Remediation/Disposal			and the second second second	J 0.0		n/a	
Remediation/Disposal Permit Costs				0.0	\$0	avels in/a-collection	\$0
Permit Costs Other (as needed)	Economic ber		n included in Viol	0.0 0.0 ation No	\$0 \$0 . 2 since the emiss		\$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Cost		nefit for this violation		0.0 0.0 ation No cause	\$0 \$0 . 2 since the emiss	n/a n/a sions events were do	\$0 \$0 ue to the same
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Cost: Disposal	s ANN	nefit for this violation	d/costs/before/e	ation No cause.	\$0 \$0 . 2 since the emission of the since the emission of the since the emission of the since th	sions events were do	\$0 \$0 ue to the same costs)
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel		nefit for this violation		ation No cause	\$0 \$0 .2 since the emiss	sions events were do	\$0 \$0 ue to the same costs) \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Cost: Disposal Personnel Inspection/Reporting/Sampling	s ANN	nefit for this violation	d costs before e	ation No cause intering 0.0 0.0	\$0 \$0 .2 since the emiss item (except for \$0 \$0	n/ambasions events were do	\$0 \$0 ue to the same costs) \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs AVOIDED COST Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	s ANN	uALIZE:[1]:avoide	d/costs/before/e	0.0 0.0 ation No cause ntering 0.0 0.0 0.0	\$0 \$0 . 2 since the emiss litem (except for \$0 \$0 \$0	sions events were do	\$0 \$0 ue to the same costs) \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs AVOICE COSt Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	s ANN	nefit for this violation	d costs before e	0.0 0.0 ation No cause ntering 0.0 0.0 0.0 0.0	\$0 \$0 . 2 since the emiss item (except for \$0 \$0 \$0 \$0	sions events were do	\$0 \$0 ue to the same sosts) \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs AVOIDED COST Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	s ANN	uALIZE:[1]:avoide	d costs before e	0.0 0.0 ation No cause ntering 0.0 0.0 0.0	\$0 \$0 . 2 since the emiss litem (except for \$0 \$0 \$0	sions events were do	\$0 \$0 ue to the same sosts) \$0 \$0 \$0 \$0

Screening Date 16-Apr-2007 Docket No. 2007-1813MLM-E		PCW
Respondent Valero Refining-Texas, L.P.	Policy Revision 2 (Septe	mber 2002)
Case ID No. 34927	PCW Revision Marc	ch 19, 2007
Reg. Ent. Reference No. RN100238385		
Media [Statute] Air		
Enf. Coordinator Kimberly Morales		
Violation Number 4		
Rule Cite(s) Air Permit No. 39142, Special Condition No. 1, 30 Tex. Admin. Code § 116. Tex. Health & Safety Code § 382.085(b)	715(a), and	
Failed to prevent unauthorized emissions during a March 4, 2007 emissions Sats Gas Unit. Specifically, during the March 4, 2007 emissions event the unauthorized emissions were released from Flare Nos. 2 and 3 over a period and 44 minutes: 10,139.40 lbs of sulfur dioxide, 984.80 lbs of carbon monox lbs of propane, 122.70 lbs of nitrogen monoxide, 109.90 lbs of hydrogen su lbs of butane, 56.70 lbs of isopentane, 53.80 lbs of ethylene, 10.6 lbs of dioxide, 5.6 lbs of butene, and 2.9 lbs of trans-2-butene. Since the emission avoidable Valero was unable to meet the demonstration criteria for an affernse under 30 Tex. Admin. Code § 101.222.	e following d of 17 hours kide, 476.10 lifide, 81.20 nitrogen s event was	
B	ase Penalty	\$10,000
>> Environmental, Property and Human Health Matrix		
Harm	*	
Release Major Moderate Minor		
OR Actual x		
Potential Percent 50%	<u>6</u>	
>>Programmatic Matrix Falsification Major Moderate Minor		
Falsification Major Moderate Minor Percent 09	6	
TOTOGRA 07	<u> </u>	
Matrix Notes Human health and the environment have been exposed to an significant amount of pollut did not exceed levels that are protective of human health or environmental receptors as a violation.	result of the	
"Adjustment	\$5,000	
		\$5,000
Violation Events		
Number of Violation Events Number of violation of	davs	
	•	
daily.		
monthly		ΦE 000
	ase Penalty	\$5,000
single event x		
Solidies exerts A		
One single event is recommended.		
Economic Benefit (EB) for this violation Statutory Limit 1	est	
Estimated EB Amount \$0 Violation Final Po	enalty Total	\$14,950
This violation Final Assessed Penalty (adjuste		\$10,000
ino rioduoti indiassesse i etialy (dujuste		ara dan dan dan dan dan dan dan dan dan da

Media Violation No.	3	. The first word workers in professional shading	na wan ayayani ayayaha waxaa da ay iyo kalay ii iyo ka ii	sometiment of the country of the	************************************	Percent Interest	Years of Depreciation
						5.0	18
Item Description	Item Cost No commas or \$	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	-1		1.1	0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	state in a dallet	\$0
Record Keeping System				0.0	\$0	的數學與An/a的的A	\$0
Training/Sampling				0.0	\$0	All and word	\$0
Remediation/Disposal				0,0	\$0	n/ar/a	\$0
Remediation/Disposal Permit Costs Other (as needed)				0.0 0.0 nol inject	\$0 \$0 ion pump internal	n/a n/a relief valves setting	\$0 \$0 for the purpose
Permit Costs	Estimated cost of preventing	to make adjustment to make adjustment	ents on the methan of emissions even alve. Date require	0.0 0.0 nol inject is caused ed based	\$0 \$0 ion pump internal d by an incorrect p on the date of the	relief valves setting or the emissions event. F	\$0 \$0 for the purpose ne methanol
Permit Costs Other (as needed)	Estimated cost of preventin injection system	to make adjustming the recurrence of internal relief v	ents on the methan of emissions event alve. Date require on date all correc	0.0 0.0 nol inject is caused d based tive action	\$0 \$0 ion pump internal d by an incorrect p on the date of the ins were complete item (except for	relief valves setting or the emissions event. Find.	\$0 \$0 for the purpose ne methanol final date based
Permit Costs Other (as needed) Notes for DELAYED costs	Estimated cost of preventin injection system	to make adjustming the recurrence of internal relief v	ents on the methan of emissions event alve. Date require on date all correc	0.0 0.0 not inject is caused d based tive action intering 0.0	\$0 \$0 ion pump internal if by an incorrect pon the date of the ons were complete item (except for \$0	relief valves setting or ressure setting on the emissions event. Fid.	\$0 \$0 for the purpose ne methanol final date based
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	Estimated cost of preventin injection system	to make adjustming the recurrence of internal relief v	ents on the methan of emissions event alve. Date require on date all correc	0.0 0.0 0.0 nol inject is caused d based tive actio	\$0 \$0 on pump internal if by an incorrect point when the date of the sawer complete item (except for \$0.00) \$0.000	relief valves setting or setting or setting on the emissions event. Find. one-time avoided of \$0 to \$	\$0 \$0 for the purpose ne methanol final date based costs)
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	Estimated cost of preventin injection system	to make adjustment of the recurrence of the recu	ents on the methal of emissions even alve. Date require on date all correc ed costs before e	0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0	\$0 \$0 ion pump internal d by an incorrect p on the date of the ins were complete item (except for, \$0 \$0	relief valves setting on the emissions event. Find. one-time avoided of \$0 \$0 \$0 \$0	\$0 \$0 for the purpose he methanol final date based costs) \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	Estimated cost of preventin injection system	to make adjustming the recurrence of internal relief v	ents on the methal of emissions eventalve. Date require on date all corrected costs before a	0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0	\$0 \$0 ion pump internal d by an incorrect p on the date of the ons were complete item (except for \$0 \$0 \$0 \$0	relief valves setting oressure setting on the emissions event. Find. one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 for the purpose ne methanol rinal date based (osts) \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	Estimated cost of preventin injection system	to make adjustming the recurrence of the recurre	ents on the methal of emissions eventalve. Date require on date all corrected costs before e	0.0 0.0 0.0 0.0 inject is caused based tive action of the content	\$0 \$0 ion pump internal di by an incorrect pon the date of the ins were complete item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	relief valves setting or essure setting on the emissions event. Fid. one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$	\$0 \$0 for the purpose ne methanol rinal date based sosts) \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Estimated cost of preventin injection system	to make adjustming the recurrence of internal relief v	ents on the methal of emissions eventalve. Date require on date all corrected costs before a	0.0 0.0 old inject is caused based tive action intering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	\$0 \$0 on pump internal d by an incorrect p on the date of the ns were complete item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	relief valves setting or resure setting on the emissions event. Find. one-time avoided company solutions avoided company solution solution solutions. Solution solutions soluti	\$0 \$0 for the purpose ne methanol final date based osts) \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	Estimated cost of preventin injection system	to make adjustming the recurrence of internal relief v	ents on the methal of emissions eventalve. Date require on date all corrected costs before e	0.0 0.0 0.0 0.0 inject is caused based tive action of the content	\$0 \$0 ion pump internal di by an incorrect pon the date of the ins were complete item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	relief valves setting or essure setting on the emissions event. Fid. one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$	\$0 \$0 for the purpose ne methanol rinal date based sosts) \$0 \$0 \$0 \$0

Compliance History

Customer/Res	spondent/Owner-Operator:	CN600127468 Valero Refining-Texas, L.P.	Classification: AVERAG	E Rating: 8.36
Regulated Ent	tity:	RN100238385 VALERO REFINING TEXAS REFINERY	CITY Classification: AVERAGE	Site Rating: 3.7
ID Number(s):		AIR OPERATING PERMITS	ACCOUNT NUMBER PERMIT	GB0073P 1253
		AIR OPERATING PERMITS AIR OPERATING PERMITS	PERMIT	2599
		AIR OPERATING PERMITS AIR OPERATING PERMITS	PERMIT	2599
		WASTEWATER	PERMIT	WQ000449000
			PERMIT	TPDES0006009
		WASTEWATER WASTEWATER	PERMIT	TX0006009
		AIR NEW SOURCE PERMITS	PERMIT	39142
		AIR NEW SOURCE PERMITS AIR NEW SOURCE PERMITS	PERMIT	42395
		AIR NEW SOURCE PERMITS	PERMIT	42393
				48330
	•	AIR NEW SOURCE PERMITS	PERMIT	
		AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	GB0073P 962
		AIR NEW SOURCE PERMITS	PERMIT	
		AIR NEW SOURCE PERMITS	PERMIT	8352
	•	AIR NEW SOURCE PERMITS	PERMIT	8617A
		AIR NEW SOURCE PERMITS	PERMIT	53530
		AIR NEW SOURCE PERMITS	EPA ID	PSDTX822
		AIR NEW SOURCE PERMITS	AFS NUM ·	4816700007
		AIR NEW SOURCE PERMITS	EPA ID	PSDTX822M2
		AIR NEW SOURCE PERMITS	PERMIT	71076
		AIR NEW SOURCE PERMITS	REGISTRATION	75542
		AIR NEW SOURCE PERMITS	REGISTRATION	75695
		AIR NEW SOURCE PERMITS	REGISTRATION	72517
		AIR NEW SOURCE PERMITS	REGISTRATION	73799
		AIR NEW SOURCE PERMITS	REGISTRATION	76530
		AIR NEW SOURCE PERMITS	REGISTRATION	76967
		AIR NEW SOURCE PERMITS	REGISTRATION	77806
		AIR NEW SOURCE PERMITS	REGISTRATION	79850
•		AIR NEW SOURCE PERMITS	REGISTRATION	79881
		AIR NEW SOURCE PERMITS	REGISTRATION	80059
		AIR NEW SOURCE PERMITS	REGISTRATION	80132
,		AIR NEW SOURCE PERMITS	REGISTRATION	80581
		AIR NEW SOURCE PERMITS	REGISTRATION	81005
		AIR NEW SOURCE PERMITS	REGISTRATION	81523 30011
		INDUSTRIAL AND HAZARDOUS WASTE	SOLID WASTE REGISTRATION #	
		GENERATION	(SWR)	
		WASTE WATER GENERAL PERMIT	PERMIT	TXG670007
Location:		1301 LOOP 197 S, TEXAS CITY, TX, 77590	Rating Date: 9/1/2006 R	epeat Violator: NO
TCEQ Region	:	REGION 12 - HOUSTON		
Date Complia	nce History Prepared:	April 16, 2007		
Agency Decision	ion Requiring Compliance History:	Enforcement		
Compliance P	eriod:	April 09, 2002 to April 09, 2007		
TCEQ Staff M	ember to Contact for Additional Inform	nation Regarding this Compliance History		
Name:	Rebecca Johnson	Phone: (713) 422-8931	·	
		Site Compliance History Compo	nents	
1. Has the site	been in existence and/or operation for	or the full five year compliance period?	Yes	
2. Has there b	een a (known) change in ownership o	of the site during the compliance period?	No	
3. If Yes, who	is the current owner?		N/A	
	was/were the prior owner(s)?			
5. When did t	he change(s) in ownership occur?		N/A N/A	
	a (Multimodia) for the Site .			

Components (Multimedia) for the Site:

A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

Effective Date: 03/11/2005

Classification: Moderate

ADMINORDER 2002-1217-IWD-E \

CH-C

2D TWC Chapter 26, SubChapter A 26.121(a) Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)

Ramt Prov: Effluent Limitations and Monitoring Regs PERMIT

Description: Failure to comply with the WET limit NOEC of 8% effluent specified in the permit.

Effective Date: 11/23/2005

Classification: Moderate

COURTORDER 1

Citation:

30 TAC Chapter 116, SubChapter G 116,715(a) 5C THC Chapter 382, SubChapter A 382.085(b)

Ramt Prov: 39142, Special Condition No. 1 PA

Description: Exceeded permit limit during an avoidable emissions event.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b)

Rgmt Prov: 39142, Special Condition No. 1 PA

Description: Exceeded permit limits during an avoidable emissions event.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b)

Ramt Prov: 39142/PSDTX822M2, SC#1 PERMIT

Description: Failed to prevent a leak in a heat exchanger (E-1338).

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b)

Rgmt Prov: TCEQ Flexible Air Permit #39142, SC #1 PERMIT

Description: Exceeded permit limits during an avoidable emissions event.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter G 116,715(a)

5C THC Chapter 382, SubChapter A 382.085(b)

Rgmt Prov: 39142/ PSD-TX-822M2 PERMIT

Description: Valero failed to prevent a back-up pump from tripping off.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter G 116.715(a)

5C THC Chapter 382, SubChapter A 382.085(b)

Rgmt Prov: TCEQ Flexible Air Permit #39142, SC #1 PERMIT

Description: Exceeded permit limits during an avoidable emissions event.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter G 116.715(a)

5C THC Chapter 382, SubChapter A 382.085(b)

Ramt Prov: 39142, SC No. 1 PA

Description: Exceeded permit limit during an avoidable emissions event.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter G 116.715(a)

5C THC Chapter 382, SubChapter A 382.085(b)

Rgmt Prov: TCEQ Flexible Air Permit #39142, SC #1 PERMIT

Description: Exceeded permit limits during an avoidable emissions event.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter G 116.715(a)

5C THC Chapter 382, SubChapter A 382.085(b)

Rgmt Prov: TCEQ Flexible Air Permit #39142, SC #1 PERMIT

Description: Exceeded permit limits during an avoidable emissions event.

Classification: Moderate

5C THC Chapter 382, SubChapter A 382.085(a) Citation: Description: Failed to prevent an avoidable emissions event.

Classification: Moderate

30 TAC Chapter 116, SubChapter B 116.110(a)(1) Citation:

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to prevent an avoidable emissions event.

Effective Date: 10/19/2006

ADMINORDER 2006-0549-IWD-E

Classification: Moderate

Citation:

2D TWC Chapter 26, SubChapter A 26.121(a)

30 TAC Chapter 305, SubChapter F 305.125(1)

Rgmt Prov: Effluent Limits PERMIT

Description: Failure to comply with permit effluent limits as documented by a TCEQ record review of self-

reported data.

В. Any criminal convictions of the state of Texas and the federal government.

C. Chronic excessive emissions events.

N/A

The appro Track. No.)

		•
ova	al dates of invest	tigations. (CCEDS Inv. T
1	04/22/2002	(158489)
2	05/23/2002	(158493)
3	05/30/2002	(1857)
4	06/21/2002	(2243)
5	06/21/2002	(2455)
6	06/21/2002	(2142)
7	06/21/2002	(1453)
8	06/21/2002	(2442)
9	06/24/2002	(2874)
10	06/24/2002	(158497)
11	06/28/2002	(2926)
12	07/19/2002	(1982)
13	07/22/2002	(158501)
14	07/30/2002	(2222)
15	08/01/2002	(6128)
16	08/02/2002	(6695)
17	08/07/2002	(IE0018603001002
18	08/19/2002	(5341)
19	08/20/2002	(4926)
20	08/23/2002	(158505)
	08/24/2002	(4916)
	08/28/2002	(5435)
23		(5452)
24	08/28/2002	(5429)

24 08/28/2002 (5429)

25 08/28/2002 (5447)(5466)26 08/28/2002

27 08/28/2002 (5451)

28 08/28/2002 (5456)

29 08/28/2002 (5434)

30 08/28/2002 (5459)

(7607)31 08/31/2002

32 08/31/2002 (7756)

33 08/31/2002 (4899)

34 09/23/2002 (158509)

35 09/26/2002 (10851)

36 10/04/2002 (13258)

37 10/16/2002 (12826)

38 10/21/2002 (158512)

39 11/07/2002 (4910)

40 11/18/2002 (158516)

41	12/20/2002	(158520)
42	01/16/2003	(17965)
43	01/21/2003	(158524)
44	01/31/2003	(21539)
45	02/13/2003	(24351)
	02/18/2003	(158482)
46	•	• ,
47	02/24/2003	(6655)
48	03/24/2003	(158485)
49	04/16/2003	(24233)
50	04/16/2003	(24831)
51	04/21/2003	(158490)
52	05/06/2003	(27702)
53	05/09/2003	(35604)
54	05/23/2003	(158494)
55	05/27/2003	(35847)
56	05/27/2003	(34689)
57	05/27/2003	(35995)
58	05/27/2003	(34681)
59	05/28/2003	(34893)
	**	, ,
60	05/30/2003	(37806)
61	05/30/2003	(37838)
62	05/30/2003	(37791)
63	06/19/2003	(36509)
64	06/19/2003	(36515)
65	06/24/2003	(158506)
66	06/24/2003	(158498)
67	06/25/2003	(37826)
68	06/25/2003	(35521)
69	07/02/2003	(60623)
70	07/22/2003	(158502)
71	08/06/2003	(143528)
72	08/19/2003	(148080)
73	08/23/2003	(60572)
74	08/25/2003	(143078)
74 75		, ,
	08/28/2003	(149898)
76	09/25/2003	(295526)
77	10/16/2003	(152454)
78	10/16/2003	(152211)
79	10/21/2003	(250278)
80	10/23/2003	(295528)
81	11/21/2003	(295529)
82	12/29/2003	(295530)
83	12/29/2003	(295532)
84	02/23/2004	(295513)
85	02/25/2004	(261619)
86	02/27/2004	(263268)
87	02/29/2004	(251270)
88	03/02/2004	(254943)
89	03/10/2004	(261338)
90	03/16/2004	(265447)
91	03/16/2004	(261251)
92	03/19/2004	(295517)
		•
93	04/21/2004	(295518)
94	05/20/2004	(295520)
95	05/21/2004	(268720)
96	05/21/2004	(268709)
97	06/02/2004	(268446)
98	06/11/2004	(270014)
99	06/17/2004	(295522)
100	06/18/2004	(272120)
101	07/02/2004	(272940)
102	07/02/2004	(271086)
103	07/02/2004	(271249)
104	07/02/2004	(272143)
105	07/02/2004	(271833)
106	07/05/2004	(271296)
107	07/16/2004	(272858)

108	07/20/2004	(273783)
109	07/22/2004	(257997)
	07/26/2004	(352180)
111	07/30/2004	(274385)
	07/30/2004	(278540)
	07/30/2004	(274350)
	08/03/2004	(286886)
	08/04/2004	(276497)
	08/06/2004	(258328)
117	08/13/2004	(261714)
118	08/13/2004	(261538)
119	08/16/2004	(282158)
120	08/16/2004	(280377)
121	08/17/2004	(289843)
122	08/17/2004	(258260)
123	08/24/2004	(352181)
	08/28/2004	(264976)
	08/31/2004	(268711)
	08/31/2004	(269258)
	08/31/2004	(270855)
		•
	08/31/2004	(271300)
	09/01/2004	(291403)
	09/01/2004	(289773)
131		(334014)
	09/23/2004	(352182)
	10/19/2004	(334137)
134	10/22/2004	(352183)
135	10/27/2004	(289067)
136	11/11/2004	(281257)
137	11/12/2004	(281637)
138	11/12/2004	(283676)
	11/12/2004	(281714)
	11/12/2004	(281823)
141	11/15/2004	(337390)
	11/18/2004	(352184)
143	12/10/2004	(285390)
144	12/13/2004	(340262)
144 145	12/13/2004 12/13/2004	(340262) (290035)
144 145 146	12/13/2004 12/13/2004 12/14/2004	(340262) (290035) (281320)
144 145 146	12/13/2004 12/13/2004	(340262) (290035) (281320) (334546)
144 145 146 147	12/13/2004 12/13/2004 12/14/2004	(340262) (290035) (281320)
144 145 146 147	12/13/2004 12/13/2004 12/14/2004 12/14/2004	(340262) (290035) (281320) (334546)
144 145 146 147 148	12/13/2004 12/13/2004 12/14/2004 12/14/2004 12/14/2004	(340262) (290035) (281320) (334546) (338676)
144 145 146 147 148 149	12/13/2004 12/13/2004 12/14/2004 12/14/2004 12/14/2004 12/14/2004	(340262) (290035) (281320) (334546) (338676) (334780)
144 145 146 147 148 149 150	12/13/2004 12/13/2004 12/14/2004 12/14/2004 12/14/2004 12/14/2004 12/16/2004	(340262) (290035) (281320) (334546) (338676) (334780) (281398)
144 145 146 147 148 149 150	12/13/2004 12/13/2004 12/14/2004 12/14/2004 12/14/2004 12/14/2004 12/16/2004	(340262) (290035) (281320) (334546) (338676) (334780) (281398) (283937)
144 145 146 147 148 149 150 151 152 153	12/13/2004 12/13/2004 12/14/2004 12/14/2004 12/14/2004 12/14/2004 12/16/2004 12/17/2004 12/20/2004	(340262) (290035) (281320) (334546) (338676) (334780) (281398) (283937) (338870) (381870)
144 145 146 147 148 149 150 151 152 153 154	12/13/2004 12/13/2004 12/14/2004 12/14/2004 12/14/2004 12/14/2004 12/16/2004 12/17/2004 12/20/2004 12/20/2004	(340262) (290035) (281320) (334546) (338676) (334780) (281398) (283937) (338870) (381870) (281999)
144 145 146 147 148 149 150 151 152 153 154 155	12/13/2004 12/13/2004 12/14/2004 12/14/2004 12/14/2004 12/16/2004 12/16/2004 12/17/2004 12/20/2004 12/20/2004 12/23/2004	(340262) (290035) (281320) (334546) (338676) (334780) (281398) (283937) (338870) (381870) (281999) (339913)
144 145 146 147 148 149 150 151 152 153 154 155 156	12/13/2004 12/13/2004 12/14/2004 12/14/2004 12/14/2004 12/16/2004 12/16/2004 12/17/2004 12/20/2004 12/20/2004 12/23/2004 12/23/2004	(340262) (290035) (281320) (334546) (338676) (334780) (281398) (283937) (338870) (381870) (281999) (339913) (281856)
144 145 146 147 148 149 150 151 152 153 154 155 156 157	12/13/2004 12/13/2004 12/14/2004 12/14/2004 12/14/2004 12/16/2004 12/16/2004 12/17/2004 12/20/2004 12/20/2004 12/23/2004 12/28/2004 01/03/2005	(340262) (290035) (281320) (334546) (338676) (334780) (281398) (283937) (338870) (381870) (281999) (339913) (281856) (281991)
144 145 146 147 148 149 150 151 152 153 154 155 156 157 158	12/13/2004 12/13/2004 12/14/2004 12/14/2004 12/14/2004 12/16/2004 12/16/2004 12/17/2004 12/20/2004 12/20/2004 12/28/2004 01/03/2005 01/04/2005	(340262) (290035) (281320) (334546) (338676) (334780) (281398) (283937) (338870) (381870) (281999) (339913) (281856) (281991) (282000)
144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159	12/13/2004 12/13/2004 12/14/2004 12/14/2004 12/14/2004 12/16/2004 12/16/2004 12/17/2004 12/20/2004 12/20/2004 12/28/2004 01/03/2005 01/04/2005	(340262) (290035) (281320) (334546) (338676) (334780) (281398) (283937) (338870) (381870) (281999) (339913) (281856) (281991) (282000) (281998)
144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160	12/13/2004 12/13/2004 12/14/2004 12/14/2004 12/14/2004 12/16/2004 12/16/2004 12/17/2004 12/20/2004 12/20/2004 12/23/2004 12/28/2004 01/03/2005 01/04/2005 01/04/2005	(340262) (290035) (281320) (334546) (338676) (334780) (281398) (283937) (338870) (381870) (281999) (339913) (281856) (281991) (282000) (281998) (338922)
144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161	12/13/2004 12/13/2004 12/14/2004 12/14/2004 12/14/2004 12/16/2004 12/16/2004 12/17/2004 12/20/2004 12/20/2004 12/23/2004 12/23/2004 12/28/2004 01/03/2005 01/04/2005 01/04/2005 01/04/2005	(340262) (290035) (281320) (334546) (338676) (334780) (281398) (283937) (338870) (381870) (281999) (339913) (281856) (281991) (282000) (281998) (338922) (346230)
144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162	12/13/2004 12/13/2004 12/14/2004 12/14/2004 12/14/2004 12/16/2004 12/16/2004 12/17/2004 12/20/2004 12/20/2004 12/23/2004 12/23/2004 12/28/2004 01/03/2005 01/04/2005 01/04/2005 01/06/2005	(340262) (290035) (281320) (334546) (338676) (334780) (281398) (283937) (338870) (381870) (281999) (339913) (281856) (281991) (282000) (281998) (338922)
144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 160 161 162 163	12/13/2004 12/13/2004 12/14/2004 12/14/2004 12/14/2004 12/16/2004 12/16/2004 12/17/2004 12/20/2004 12/20/2004 12/23/2004 12/23/2004 12/28/2004 01/03/2005 01/04/2005 01/04/2005 01/06/2005 01/06/2005 01/10/2005	(340262) (290035) (281320) (334546) (338676) (334780) (281398) (283937) (338870) (381870) (281999) (339913) (281856) (281991) (282000) (281998) (338922) (346230)
144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 160 161 162 163	12/13/2004 12/13/2004 12/14/2004 12/14/2004 12/14/2004 12/16/2004 12/16/2004 12/17/2004 12/20/2004 12/20/2004 12/23/2004 12/23/2004 12/28/2004 01/03/2005 01/04/2005 01/04/2005 01/06/2005	(340262) (290035) (281320) (334546) (338676) (334780) (281398) (283937) (338870) (381870) (281999) (339913) (281856) (281991) (282000) (281998) (338922) (346230) (285581)
144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 160 161 162 163 164	12/13/2004 12/13/2004 12/14/2004 12/14/2004 12/14/2004 12/16/2004 12/16/2004 12/17/2004 12/20/2004 12/20/2004 12/23/2004 12/23/2004 12/28/2004 01/03/2005 01/04/2005 01/04/2005 01/06/2005 01/06/2005 01/10/2005	(340262) (290035) (281320) (334546) (338676) (334780) (281398) (283937) (388870) (381870) (281999) (339913) (281856) (281991) (282000) (281998) (338922) (346230) (285581) (339417)
144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165	12/13/2004 12/13/2004 12/14/2004 12/14/2004 12/14/2004 12/14/2004 12/16/2004 12/16/2004 12/20/2004 12/20/2004 12/23/2004 12/23/2004 12/28/2004 01/03/2005 01/04/2005 01/04/2005 01/06/2005 01/06/2005 01/10/2005	(340262) (290035) (281320) (334546) (338676) (334780) (281398) (283937) (388870) (381870) (281999) (339913) (281856) (281991) (282000) (281998) (338922) (346230) (285581) (339417) (339003)
144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165	12/13/2004 12/13/2004 12/14/2004 12/14/2004 12/14/2004 12/14/2004 12/16/2004 12/16/2004 12/20/2004 12/20/2004 12/20/2004 12/23/2004 01/03/2005 01/04/2005 01/04/2005 01/06/2005 01/10/2005 01/10/2005 01/10/2005	(340262) (290035) (281320) (334546) (338676) (334780) (281398) (283937) (338870) (381870) (281999) (339913) (281856) (281991) (282000) (281998) (338922) (346230) (285581) (339417) (339003) (281993) (281997)
144 145 146 147 148 149 150 151 152 153 154 155 156 157 160 161 162 163 164 165 166 167	12/13/2004 12/13/2004 12/14/2004 12/14/2004 12/14/2004 12/14/2004 12/16/2004 12/16/2004 12/20/2004 12/20/2004 12/20/2004 12/23/2004 01/03/2005 01/04/2005 01/04/2005 01/06/2005 01/10/2005 01/10/2005 01/10/2005 01/10/2005	(340262) (290035) (281320) (334546) (334546) (334780) (281398) (283937) (338870) (381870) (281999) (339913) (281856) (281991) (282000) (281998) (338922) (346230) (285581) (339417) (339003) (281993) (281997) (339012)
144 145 146 147 148 149 150 151 152 153 154 155 156 157 160 161 162 163 164 165 166 167 168	12/13/2004 12/13/2004 12/14/2004 12/14/2004 12/14/2004 12/14/2004 12/16/2004 12/16/2004 12/20/2004 12/20/2004 12/20/2004 12/23/2004 12/23/2004 01/03/2005 01/04/2005 01/04/2005 01/06/2005 01/06/2005 01/10/2005 01/10/2005 01/10/2005 01/10/2005 01/10/2005	(340262) (290035) (281320) (334546) (334546) (334780) (281398) (283937) (338870) (381870) (281999) (339913) (281856) (281991) (282000) (281998) (338922) (346230) (285581) (339417) (339003) (281997) (339012) (345619)
144 145 146 147 148 149 150 151 152 153 154 155 156 157 168 161 162 163 164 165 166 167 168 169	12/13/2004 12/13/2004 12/14/2004 12/14/2004 12/14/2004 12/14/2004 12/16/2004 12/16/2004 12/20/2004 12/20/2004 12/20/2004 12/23/2004 12/23/2004 01/03/2005 01/04/2005 01/04/2005 01/06/2005 01/06/2005 01/10/2005 01/10/2005 01/10/2005 01/10/2005 01/10/2005 01/10/2005 01/10/2005 01/10/2005 01/12/2005 01/12/2005	(340262) (290035) (281320) (334546) (338676) (334780) (281398) (283937) (388870) (381870) (281999) (339913) (281856) (281991) (282000) (281998) (338922) (346230) (285581) (339417) (339003) (281993) (281997) (339012) (345619) (381871)
144 145 146 147 148 149 150 151 152 153 154 155 156 157 168 161 162 163 164 165 166 167 168 169 170	12/13/2004 12/13/2004 12/14/2004 12/14/2004 12/14/2004 12/14/2004 12/16/2004 12/16/2004 12/20/2004 12/20/2004 12/20/2004 12/23/2004 12/23/2004 01/03/2005 01/04/2005 01/04/2005 01/06/2005 01/10/2005 01/10/2005 01/10/2005 01/10/2005 01/10/2005 01/10/2005 01/10/2005 01/10/2005 01/12/2005 01/12/2005 01/12/2005 01/24/2005 01/31/2005	(340262) (290035) (281320) (334546) (334546) (334780) (281398) (283937) (388870) (381870) (281999) (339913) (281856) (281991) (282000) (281998) (338922) (346230) (285581) (339417) (339003) (281997) (339012) (345619) (381871) (285435)
144 145 146 147 148 150 151 152 153 154 155 156 167 163 164 165 166 167 168 169 170 171	12/13/2004 12/13/2004 12/14/2004 12/14/2004 12/14/2004 12/14/2004 12/16/2004 12/16/2004 12/17/2004 12/20/2004 12/20/2004 12/23/2004 12/23/2004 12/28/2004 01/03/2005 01/04/2005 01/04/2005 01/06/2005 01/10/2005 01/10/2005 01/10/2005 01/10/2005 01/10/2005 01/10/2005 01/12/2005 01/12/2005 01/24/2005 01/31/2005 01/31/2005	(340262) (290035) (281320) (334546) (334546) (334780) (281398) (283937) (388870) (381870) (281999) (339913) (281856) (281991) (282000) (281998) (338922) (346230) (285581) (339417) (339003) (281993) (281997) (339012) (345619) (381871) (285435) (274930)
144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 160 161 162 163 164 165 166 167 168 169 170 171 172	12/13/2004 12/13/2004 12/14/2004 12/14/2004 12/14/2004 12/14/2004 12/16/2004 12/16/2004 12/20/2004 12/20/2004 12/23/2004 12/28/2004 01/03/2005 01/04/2005 01/04/2005 01/06/2005 01/10/2005 01/10/2005 01/10/2005 01/10/2005 01/10/2005 01/10/2005 01/12/2005 01/12/2005 01/24/2005 01/31/2005 01/31/2005 02/14/2005	(340262) (290035) (281320) (334546) (334546) (334780) (281398) (283937) (388870) (381870) (281999) (339913) (281856) (281991) (282000) (281998) (338922) (346230) (285581) (339417) (339003) (281993) (281997) (339012) (345619) (381871) (285435) (274930) (381868)
144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 160 161 162 163 164 165 166 167 168 169 170 171 172 173	12/13/2004 12/13/2004 12/14/2004 12/14/2004 12/14/2004 12/14/2004 12/16/2004 12/16/2004 12/17/2004 12/20/2004 12/20/2004 12/23/2004 12/23/2004 12/28/2004 01/03/2005 01/04/2005 01/04/2005 01/06/2005 01/10/2005 01/10/2005 01/10/2005 01/10/2005 01/10/2005 01/10/2005 01/12/2005 01/12/2005 01/24/2005 01/31/2005 01/31/2005	(340262) (290035) (281320) (334546) (334546) (334780) (281398) (283937) (388870) (381870) (281999) (339913) (281856) (281991) (282000) (281998) (338922) (346230) (285581) (339417) (339003) (281993) (281997) (339012) (345619) (381871) (285435) (274930)

•

175	04/25/2005	(419706)
176	04/26/2005	(343243)
		•
177	04/26/2005	(281994)
178	04/27/2005	(282002)
179	05/02/2005	(350537)
180	05/02/2005	(349631)
181	05/20/2005	(348483)
182	05/23/2005	(419707)
183	05/25/2005	(351133)
184	06/14/2005	(373350)
	06/14/2005	(378741)
185		, ,
186	06/14/2005	(419708)
187	06/23/2005	(378628)
188	06/27/2005	(397418)
189	06/28/2005	(348790)
190	06/30/2005	(397555)
191	07/07/2005	(399131)
192	07/13/2005	(399194)
193	07/15/2005	(348789)
194	07/22/2005	(440845)
		, ,
195	07/22/2005	(397707)
196	08/02/2005	(348759)
197	08/03/2005	(403276)
198	08/03/2005	(403101)
199	08/08/2005	(403521)
200	08/08/2005	(403525)
201	08/10/2005	(396623)
202	08/13/2005	(400189)
203		
	08/13/2005	(397699)
204	08/17/2005	(400929)
205	08/18/2005	(406027)
206	08/19/2005	(396740)
207	08/22/2005	(406017)
208	08/23/2005	(440846)
209	08/24/2005	(400925)
210	08/29/2005	(406800)
211	09/01/2005	(400337)
212	09/23/2005	(440847)
213	10/20/2005	(468457)
214	11/22/2005	(468458)
215	12/06/2005	(438942)
216	12/20/2005	(468459)
217	12/28/2005	(449585)
218	12/29/2005	(439223)
219	12/29/2005	(449459)
220	01/17/2006	(431818)
221	01/24/2006	(468460)
	01/30/2006	, ,
222		(440131)
223	02/01/2006	(451967)
224	02/15/2006	(439989)
225	02/17/2006	(468454)
226	02/17/2006	(439355)
227	02/21/2006	(455248)
228	03/16/2006	(455002)
229	03/21/2006	(468455)
230	03/29/2006	(453666)
231	03/31/2006	(434168)
232	04/13/2006	(468456)
233	04/26/2006	(457610)
234	04/27/2006	(460539)
235	05/08/2006	(453710)
236	05/11/2006	(461750)
237	05/15/2006	(462815)
238	05/17/2006	(464808)
239	05/18/2006	(498220)
240	05/25/2006	(457878)
241	05/31/2006	(463733)
		(.55,66)

242	06/16/2006	(498221)
243	06/27/2006	(481343)
244	06/30/2006	(483867)
245	06/30/2006	(462803)
246	06/30/2006	(481516)
247	06/30/2006	(462898)
248	07/06/2006	(482247)
249	07/14/2006	(486365)
250	07/15/2006	(486391)
251	07/17/2006	(479861)
252	07/18/2006	(498222)
253	07/19/2006	(483715)
254	07/19/2006	(483638)
255	07/19/2006	(482178)
256	07/21/2006	(487892)
257	07/21/2006	(487175)
258	07/21/2006	(487390)
259 260	07/25/2006 07/26/2006	(488179)
261	07/26/2006	(462901) (482594)
262	08/10/2006	(520234)
263	08/25/2006	(488734)
264	09/01/2006	(509756)
265	09/01/2006	(488032)
266	09/01/2006	(488541)
267	09/01/2006	(489837)
268	09/01/2006	(489434)
269	09/01/2006	(487342)
270	09/01/2006	(489815)
271	09/01/2006	(466736)
272	09/01/2006	(488559)
273	09/01/2006	(488176)
274	09/01/2006	(488979)
275	09/01/2006	(509730)
276	09/01/2006	(478491)
277	09/01/2006	(488624)
278	09/01/2006	(478556)
279	09/01/2006	(488740)
280	09/01/2006	(488134)
281	09/01/2006	(490185)
282	09/01/2006	(488020)
283	09/01/2006	(508690)
284	09/01/2006	(488633)
285	09/01/2006	(489467)
286	09/01/2006	(488191)
287	09/01/2006 09/01/2006	(509784)
288 289	09/01/2006	(466735) .
290	09/01/2006	(478638) (489863)
291	09/01/2006	(509713)
292	09/01/2006	(487896)
293	09/01/2006	(509158)
294	09/01/2006	(489866)
295	09/18/2006	(520235)
296	09/27/2006	(512555)
297	09/28/2006	(509876)
298	10/11/2006	(514061)
299	10/19/2006	(520236)
300	10/23/2006	(512981)
301	10/31/2006	(517239)
302	11/07/2006	(516594)
303	11/13/2006	(518837)
304	11/15/2006	(519473)
305	11/15/2006	(544546)
306	11/21/2006	(519775)
307	12/13/2006	(544547)
308	12/18/2006	(345058)

30	09 12/21	/2006	(532369)		
3.	10 12/21	/2006	(532370)		
3.	11 01/16	/2007	(534075)		
3.	12 01/19/	/2007	•	532751)		
	13 01/19/			544548)		
	14 02/07/		•	536972)		
			•	•		
	15 02/09/		•	534096)		
	16 02/14		•	544545)		
	17 03/15/		•	531898)		
	18 03/15 <i>i</i>		(533196)		
3.	19 03/23/	/2007	(543996)		
32	20 04/02/	/2007	(539574)		
32	21 04/05/	/2007	(543902)		
32	22 04/09/	/2007	(555314)		
32	23 04/09/	2007	(543124)		
Written n	otices of v	iolations (N	VOV	/). (CCEDS Inv. Track. No.)		
VVIILGITII		·		· · · · · · · · · · · · · · · · · · ·		
	Date:	06/30/200	02	(158501) \		
	Self Rep	ort? Y	/ES		Classification:	Moderate
	Citation:			30 TAC Chapter 305, SubChapter F 305.125(1)		
				TWC Chapter 26 26.121(a)[G]		
	Descript	ion:		Failure to meet the limit for one or more permit	parameter	
	·					
	Date:	07/22/200)2	(134150) 🦫		
	Self Rep	ort? Y	/ES		Classification:	Moderate
	•			20 TAC Charter 205, Sub-Charter F 205 405/4)		
	Citation:			30 TAC Chapter 305, SubChapter F 305.125(1)		
	Descript	ion:		TWC Chapter 26 26.121(a)[G] Failed to meet the limit for one or more permit p	arameter	
	Descript	1011.		Taked to theet the little for one of more permit p	arameter.	
	Date:	09/30/200)2	(158512) 🕻		
	Self Rep		ES'		Classification:	Madarata
	•		LO		Classification,	Moderate
	Citation:			30 TAC Chapter 305, SubChapter F 305.125(1)		
	Deceriati	lam.		TWC Chapter 26 26.121(a)[G]		
	Descript	ion:		Failure to meet the limit for one or more permit p	parameter	
	Date:	12/31/200	12	(158524) 4		
				•	O. 15	
	Self Rep	OFT? Y	'ES		Classification:	Moderate
	Citation:			30 TAC Chapter 305, SubChapter F 305.125(1)		
				TWC Chapter 26 26.121(a)[G]		
	Descripti	ion:		Failure to meet the limit for one or more permit p	parameter	
	Date:	01/31/200	13	(158482) 5		
				(130402)3		
	Self Rep	ort? Y	ΈS	•	Classification:	Moderate
	Citation:			30 TAC Chapter 305, SubChapter F 305.125(1)		
				TWC Chapter 26 26.121(a)[G]		
	Descripti	on:		Failure to meet the limit for one or more permit p	arameter	
		0.410.010.00		ura on t		
	Date:	04/30/200	13	(158494) 💪		
	Self Rep	ort? Y	ΈS		Classification:	Moderate
	Citation:			30 TAC Chapter 305, SubChapter F 305.125(1)		
				TWC Chapter 26 26.121(a)[G]		
	Descripti	on:		Failure to meet the limit for one or more permit p	arameter	
	Date:	06/30/200	13	(158502) 7		
	Self Rep	ort? Y	ES		Classification:	Moderate
	Citation:			30 TAC Chapter 305, SubChapter F 305.125(1)		
				TWC Chapter 26 26.121(a)[G]		
	Descripti	on:		Failure to meet the limit for one or more permit p	arameter	
			_			
	Date:	08/27/200	3	(143078) \$		
	Self Repo	ort? N	0		Classification:	Minor
	Citation:		;	30 TAC Chapter 101, SubChapter A 101.20(2)		
				30 TAC Chapter 115, SubChapter D 115.352(4)		
				30 TAC Chapter 116, SubChapter G 116.715(a)		
				40 CFR Chapter 63, SubChapter C, PT 63, SubF	PT H 63.167(a)	
	Rqmt Pro			PA 39412, SC 15E		
	Description	on:	- 1	Non clerical air violation		

12/31/2003 (295532) 9 Date:

Non clerical air violation

Rqmt Prov: Description: Self Report?

YES

Classification:

Classification:

Classification:

Classification:

Classification:

Moderate

Minor

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description:

Failure to meet the limit for one or more permit parameter

Date:

02/29/2004

(251270) 10

Self Report?

NO

Citation:

NO

Description:

30 TAC Chapter 101, SubChapter F 101.201(b)(7) Valero failed to properly report an emissions event.

03/02/2004

(254943) 11

Self Report?

30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b)

Ramt Prov:

Citation:

PERMIT TCEQ FLEXIBLE AIR PERMIT 39142, SC #1

Description:

Valero exceeded permitted source emission limits during an avoidable emissions

Self Report?

NO

30 TAC Chapter 101, SubChapter A 101,20(1)

Moderate

Moderate

Citation:

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)

Rgmt Prov:

PERMIT TCEQ FLEXIBLE AIR PERMIT SC #2(A) Valero operated Flare #4 with no flame present.

Description:

Date:

(261689) 12

Self Report? NO

03/04/2004

07/26/2004

Citation: Description: 30 TAC Chapter 101, SubChapter A 101.4

Valero is in of violation for adversely affecting the normal use and enjoyment of

property.

Date:

04/30/2004 (295520) 13

Self Report?

Classification:

Moderate

Moderate

Moderate

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description:

Failure to meet the limit for one or more permit parameter

Date: Citation:

Self Report?

(257997) 14

30 TAC Chapter 101, SubChapter A 101.20(1)

30 TAC Chapter 116, SubChapter G 116.715(a)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)

Rgmt Prov:

PERMIT Flexible Permit # 39142 and PSD TX-822M2

PERMIT Flexible Permit #39142 and PSD-TX-822M2 Failure to maintain Coker fuel gas H2S concentration below 162 ppm on a three-

Description: hour average basis.

NO

Classification:

Classification:

Moderate

Self Report? Citation:

30 TAC Chapter 116, SubChapter G 116.715(a)

Rqmt Prov:

PERMIT Flexible Permit # 39142 and PSD-TX-822M2

Description:

Failure to maintain Coker fuel gas H2S concentration below 162 ppm on a one

hour average basis.

Self Report?

NO

Classification:

Moderate

Citation:

30 TAC Chapter 101, SubChapter F 101.201(a)(1)[G] 30 TAC Chapter 116, SubChapter G 116.715(a)

Rgmt Prov:

PERMIT Flexible Permit # 39142 and PSD-TX-822M2

Description:

Failure to report a reportable emission event which resulted in the release of H2S

and benzene emissions in excess of the reportable quantity.

Self Report?

NO

Classification:

Moderate

Citation:

30 TAC Chapter 116, SubChapter G 116.715(a)

Rgmt Prov: Description: PERMIT Flexible Permit # 39142 and PSD-TX-822M2

failure to maintain the SRU thermal reactor with sour water overhead gas flow at

a flame temperature of 2000 degrees F or greater.

Failure to maintain the SRU thermal reactor with sour water overhead gas flow at

a flame temperature of 2000 degrees F or greater.

Date:

08/28/2004

(264976) 5

Classification:

Moderate

Self Report? Citation:

30 TAC Chapter 116, SubChapter G 116.715(a)

5C THC Chapter 382, SubChapter A 382.085(b) PA Flexible Permit No. 39142, SC 1

Rqmt Prov: Description:

Failure to prevent unauthorized emissions during an emissions event.

(270855) 16 Date: 08/31/2004 Classification: Moderate Self Report? NO Citation: 30 TAC Chapter 116, SubChapter G 116,715(a) Rgmt Prov: PA Permit No. 39142 and PSD-TX-822M2, SC #1 Description: Exceeded permit limits. 08/31/2004 (271300) 17 Date: Self Report? Classification: Moderate Citation: 30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b) Rgmt Prov: PA Flexible Permit No. 39142, SC 1 Description: Failure to prevent unauthorized emissions. (269258) 18 08/31/2004 Date: Classification: Self Report? Moderate Citation: 30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b) Rgmt Prov: PA Flexible Permit No. 39142, SC 1 Failure to prevent unauthorized emissions. Description: (352183) Date: 09/30/2004 Self Report? YES Classification: Moderate Citation: 30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G] Description: Failure to meet the limit for one or more permit parameter (285390) % Date: 12/10/2004 Self Report? NO Classification: Moderate Citation: 30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b) PA 39142 and PSD-TX-822M2 Rqmt Prov: Description: Failure to meet demonstration criteria. Date: 12/28/2004 (281856) 24 Self Report? NO Classification: Moderate Citation: 30 TAC Chapter 116, SubChapter G 116,715(a) 5C THC Chapter 382, SubChapter A 382.085(b) Rgmt Prov: PA 9142 and PSD-TX-822M2 Description: Failure to meet demonstration criteria. 12/31/2004 (381871) 22 Date: Self Report? YES Classification: Moderate Citation: 30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G] Description: Failure to meet the limit for one or more permit parameter 01/06/2005 (338922) 23 Date: Self Report? Classification: Moderate Citation: 30 TAC Chapter 116, SubChapter G 116.715(c)(7) 5C THC Chapter 382, SubChapter A 382.085(b) Rqmt Prov: PA 39142, Special Condition No. 1 Description: Failure to meet demonstration criteria. (285435) 7,4 Date: 01/31/2005 Self Report? Classification: Moderate Citation: 30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b) Rqmt Prov: PA 39142, SC No. 1 Description: Failure to meet demonstration criteria. Date: 02/28/2005 (381869) 👫 Self Report? Classification: Moderate Citation: 30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G] Description: Failure to meet the limit for one or more permit parameter

Date: 03/31/2005 (419706) 24 YES

Self Report?

Classification:

Moderate

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description:

Failure to meet the limit for one or more permit parameter

Date:

Citation:

08/10/2005

(396623) 27

Self Report?

NO

30 TAC Chapter 116, SubChapter G 116,715(a)

5C THC Chapter 382, SubChapter A 382.085(b)

Rgmt Prov:

PA 39142, Special Condition No. 1

Description:

Valero failed to control hydrocarbon carryover from the Delayed Coker Unit into

the Amine Unit.

10/31/2005 Date:

(468458) 28

Self Report?

YES

Moderate

Moderate

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description:

Failure to meet the limit for one or more permit parameter

Date:

11/30/2005

(468459) 29

Self Report?

YES

Classification:

Classification:

Classification:

Moderate

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description:

Failure to meet the limit for one or more permit parameter

Date:

12/31/2005

(468460) ₹4

Self Report?

NO

NO

Classification:

Classification:

Classification:

Moderate

Moderate

Moderate

Moderate

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description:

Failure to meet the limit for one or more permit parameter

Date:

01/31/2006

(451967) 38

Self Report?

TWC Chapter 26 26.121(a)(1)

Citation: Rqmt Prov: Description:

PERMIT No. 00449-000 Page 7, No. 2g Failure to prevent unauthorized discharges of solids and oil into waters of the

State.

Self Report?

30 TAC Chapter 305, SubChapter F 305,125(1)

Citation: Rqmt Prov:

PERMIT 00449-000 Page 2, No. 1 & Page 2d, no. 1

Description:

Failure to maintain compliance with the self-monitored, permitted effluent limits

for Total Suspended Solids, Oil & Grease, and Total Zinc.

Date:

02/21/2006

(455248) \$ &

Self Report? Citation:

NO

Classification:

30 TAC Chapter 116, SubChapter G 116.715(a)

Ramt Prov:

5C THC Chapter 382, SubChapter A 382.085(b) PA No. 39142

Description:

Exceeded permit limits during an avoidable emissons event.

Date:

04/30/2006

(498220) 37

Self Report?

YES

Classification:

Moderate

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description:

Failure to meet the limit for one or more permit parameter

Date:

06/30/2006

(481516) 34

Self Report?

Classification:

Moderate

Citation:

30 TAC Chapter 116, SubChapter G 116.715(a)

Rqmt Prov:

Description:

5C THC Chapter 382, SubChapter D 382.085(b) PA 39142, SC No. 1

Failure to prevent an unplanned compressor shutdown resulting in unauthorized emissions from flaring.

Date:

06/30/2006

NO

(483867) 35

Self Report?

Classification:

Moderate

Citation:

30 TAC Chapter 117, SubChapter B 117.206(e)(2)

Description:

RE exceeded the NH3 emission limit of 10 ppm set forth in 30 TAC

Date:

09/29/2006

(509876) 36

Moderate Self Report? NO Classification:

Moderate

30 TAC Chapter 116, SubChapter G 116.715(a) Citation:

5C THC Chapter 382, SubChapter D 382.085(b)

Rgmt Prov: PA 39142, SC No. 1

Exceeded permit limits during an avoidable emissions event. Description:

01/31/2007 (544545) 37 Date: Classification: Self Report? YES

30 TAC Chapter 305, SubChapter F 305.125(1) Citation:

TWC Chapter 26 26.121(a)[G]

Failure to meet the limit for one or more permit parameter Description:

04/04/2007 (539574) 38 Date:

Classification: Moderate Self Report? NO Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)

5C THC Chapter 382, SubChapter D 382.085(b)

PA 39142, SC No. 1 Rqmt Prov:

Description: Exceeded permit limits during an avoidable emissions event.

F. Environmental audits.

N/A

Type of environmental management systems (EMSs). G.

Voluntary on-site compliance assessment dates. Н.

N/A

Participation in a voluntary pollution reduction program.

Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§ ,,	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
VALERO REFINING-TEXAS, L.P.;	§	
RN100211663	§	ENVIRONMENTAL QUALITY
RN100238385		-

AGREED ORDER DOCKET NO. 2007-1813-MLM-E

At its ______ agenda, the Texas Commission on Environmental Quality ("Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Valero Refining-Texas, L.P. ("Valero") under the authority of Tex. Water Code chs. 7 and 26, Tex. Health & Safety Code chs. 361 and 382, and the rules of the TCEQ. The Executive Director of the TCEQ, represented by the Litigation Division, and Valero, represented by Parker Wilson, Attorney, Valero Energy Corporation, presented this agreement to the Commission.

Valero understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, Valero agrees to waive all notice and procedural rights.

It is further understood and agreed that this Agreed Order represents the complete and fully-integrated agreement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon Valero.

The Commission makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. Valero owns and operates an oil refinery located at 1300 Cantwell Lane in Corpus Christi, Nueces County, Texas ("Plant 1"). Plant 1 has discharged waste into or adjacent to any water in the state or has committed another act that has caused or will cause pollution of any water in the state under the Texas Water Code. Plant 1 also consists of one or more sources as defined in Tex. Health & Safety Code § 382.003(12).

- 2. Valero owns and operates a petroleum refinery at 1301 Loop 197 South in Texas City, Galveston County, Texas ("Plant 2"). Plant 2 consists of one or more sources as defined in Tex. Health & Safety Code § 382.003(12).
- 3. During an investigation conducted on July 6, 2007, TCEQ Staff documented that at Plant 1, Valero:
 - a. Failed to prevent the unauthorized discharge and accumulation of untreated hazardous wastewater on the ground. Specifically, untreated industrial wastewater and contact storm water from Tank 109 was discharged into an earthen containment area surrounding the tank. Analysis of a sample collected from the Interceptor Trench flowing into Tank 109 indicated the wastewater exhibited the toxicity characteristic for benzene (D018) with a benzene concentration of 2.2 milligrams per liter. Also, the Respondent diverted wastewater from Tank 109 to Tank 100 which overflowed the tank and mixed with accumulated stormwater inside the earthen containment area surrounding Tank 100.
 - b. Failed to comply with hazardous waste tank requirements including, but not limited to, the structural integrity of the tank, compatibility with the waste(s) being stored and corrosion protection. Specifically, the respondent diverted D018 waste to Tank 100 which was being used as a crude oil storage tank, thereby utilizing this tank as a hazardous waste storage tank.
- 4. During a record review in regard to Plant 1, conducted on May 27 and June 20, 2008, a TCEQ Central Office investigator documented that Valero failed to maintain compliance with the emission limits. Specifically, stack testing of the fluidized catalytic cracking unit ("FCCU") Regenerator/CO Boiler Stack (EPN 12-CO-STK) conducted on August 15, 2007 and February 14, 2008 indicated particulate matter emissions of 1.08 and 1.23 pounds ("lbs") per 1,000 lbs of coke burn-off, respectively, with a permit limit of one lb per 1,000 lbs of coke burn-off.
- 5. During a record review conducted in regard to Plant 2, on March 12, 2007, TCEQ staff documented that Valero failed to prevent unauthorized emissions during a December 11, 2006 emissions event in the Toppers Unit, No. 3 Crude Unit, FCCU, Alkylation Unit, Utilities Unit, and the Delayed Coker Unit. Specifically, during the December 11, 2006 emissions event the following unauthorized emissions were released from the Alkylation Unit and the No. 1, 2, 3, and 4 Flare Stacks over a period of 33 hours and 30 minutes: 18,329 lbs of sulfur dioxide, 11,798 lbs of volatile organic compounds, and 6,229.90 lbs of carbon monoxide.

- 6. During record reviews conducted in regard to Plant 2 on March 28, 2007, TCEQ staff documented that Valero:
 - a. Failed to prevent unauthorized emissions during a January 19, 2007 emissions event in the FCCU. Specifically, during the January 19, 2007 emissions event 8,844.40 lbs of unauthorized sulfur dioxide emissions were released from Drum D-157 over a period of two hours.
 - b. Failed to prevent unauthorized emissions during a January 28, 2007 emissions event in the Saturates Gas Plant. Specifically, during the January 28, 2007 emissions event the following unauthorized emissions were released from Drum-465 over a period of 11 hours and 15 minutes: 8,876.20 lbs of sulfur dioxide and 354.90 lbs of propane.
- 7. During a record review conducted in regard to Plant 2 on May 23, 2007, TCEQ staff documented that Valero failed to prevent unauthorized emissions during a March 4, 2007 emissions event in the Sats Gas Unit. Specifically, during the March 4, 2007 emissions event the following unauthorized emissions were released from Flare Nos. 2 and 3 over a period of 17 hours and 44 minutes: 10,139.40 lbs of sulfur dioxide, 984.80 lbs of carbon monoxide, 476.10 lbs of propane, 122.70 lbs of nitrogen monoxide, 109.90 lbs of hydrogen sulfide, 81.20 lbs of butane, 56.70 lbs of isopentane, 53.80 lbs of ethylene, 10.6 lbs of nitrogen dioxide, 5.6 lbs of butene, and 2.9 lbs of trans-2-butene.
- 8. Valero received notice of the violations on or about April 5, 2007, April 9, 2007, May 8, 2007 and June 6, 2007, October 8, 2007, June 4, 2008, June 22, 2008, and August 10, 2008.
- 9. The Executive Director recognizes that Valero has implemented the following corrective measures at Plant 2:
 - a. Installed an external maintenance bypass on the Uninterruptible Power Supply ("UPS") on December 13, 2006, enhanced labeling on the panel UPS schematic and switches on December 31, 2006, installed a backup power connection on December 15, 2006, and implemented a practice of performing job reviews prior to performing any preventative maintenance on the UPS on December 31, 2006, for the purpose of preventing the recurrence of emissions events due to the same cause as the December 11, 2006 emissions event;
 - b. On February 15, 2007 Valero completed installation of a methanol injection system to prevent the formation of hydrates in the deethanizer overhead line, for the purpose of preventing the recurrence of emissions events due to the same cause as the January 19, 2007 and January 28, 2007 emissions events; and

c. On March 10, 2007 Valero completed adjustments to the internal relief valve settings on the methanol injection pump, for the purpose of preventing the recurrence of emissions events due to the same cause as the March 4, 2004 emissions event.

CONCLUSIONS OF LAW

- 1. As evidenced by Finding of Fact No. 1, Valero is subject to the jurisdiction of the TCEQ pursuant Tex. Water Code § 7.002, Tex. Water Code chs. 7 and 26, Tex. Health & Safety Code ch. 382.
- As evidenced by Finding of Fact No. 3.a., Valero failed at Plant 1 to prevent the unauthorized discharge and accumulation of untreated hazardous wastewater on the ground. Specifically, untreated industrial wastewater and contact storm water from Tank 109 was discharged into an earthen containment area surrounding the tank. Analysis of a sample collected from the Interceptor Trench flowing into Tank 109 indicated the wastewater exhibited the toxicity characteristic for benzene (D018) with a benzene concentration of 2.2 milligrams per liter. Also, the Respondent diverted wastewater from Tank 109 to Tank 100 which overflowed the tank and mixed with accumulated stormwater inside the earthen containment area surrounding Tank 100, in violation of 30 Tex. Admin. Code §§ 335.4 and 335.43(a), and Tex. Water Code § 26.121(a).
- 3. As evidenced by Finding of Fact No. 3.b., Valero failed at Plant 1 to comply with hazardous waste tank requirements including, but not limited to, the structural integrity of the tank, compatibility with the waste(s) being stored and corrosion protection. Specifically, the respondent diverted D018 waste to Tank 100 which was being used as a crude oil storage tank, thereby utilizing this tank as a hazardous waste storage tank, in violation of 30 Tex. ADMIN. CODE § 335.69(a)(1)(B).
- 4. As evidenced by Finding of Fact No. 4., Valero failed at Plant 1 to maintain compliance with the emission limits. Specifically, stack testing of the FCCU Regenerator/CO Boiler Stack (EPN 12-CO-STK) conducted on August 15, 2007 and February 14, 2008 indicated particulate matter emissions of 1.08 and 1.23 lbs per 1,000 lbs of coke burn-off, respectively, with a permit limit of one lb per 1,000 lbs of coke burn-off, in violation of 30 Tex. ADMIN. CODE §§ 101.20(3) and 116.715(a), Tex. Health & Safety Code § 382.085(b), and Air Permit Nos. PSD-TX-1023M1 and 2937, Special Condition 18.

- As evidenced by Finding of Fact No. 5., Valero failed at Plant 2 to prevent unauthorized emissions during a December 11, 2006 emissions event in the Toppers Unit, No. 3 Crude Unit, FCCU, Alkylation Unit, Utilities Unit, and the Delayed Coker Unit. Specifically, during the December 11, 2006 emissions event the following unauthorized emissions were released from the Alkylation Unit and the No. 1, 2, 3, and 4 Flare Stacks over a period of 33 hours and 30 minutes: 18,329 lbs of sulfur dioxide, 11,798 lbs of volatile organic compounds, and 6,229.90 lbs of carbon monoxide, in violation of 30 Tex. ADMIN. Code § 116.715(a), Air Permit No. 39142, Special Condition No. 1, and Tex. Health & Safety Code § 382.085(b). Since the emissions event was avoidable Valero was unable to meet the demonstration criteria for an affirmative defense under 30 Tex. ADMIN. Code § 101.222.
- 6. As evidenced by Finding of Fact No. 6.a., Valero failed at Plant 2 to prevent unauthorized emissions during a January 19, 2007 emissions event in the FCCU. Specifically, during the January 19, 2007 emissions event 8,844.40 lbs of unauthorized sulfur dioxide emissions were released from Drum D-157 over a period of two hours, in violation of 30 Tex. ADMIN. CODE § 116.715(a), Air Permit No. 39142, Special Condition No. 1, and Tex. Health & Safety Code § 382.085(b). Since the emissions event was avoidable Valero was unable to meet the demonstration criteria for an affirmative defense under 30 Tex. ADMIN. Code § 101.222.
- As evidenced by Finding of Fact No. 6.b., Valero failed at Plant 2 to prevent unauthorized emissions during a January 28, 2007 emissions event in the Saturates Gas Plant. Specifically, during the January 28, 2007 emissions event the following unauthorized emissions were released from Drum-465 over a period of 11 hours and 15 minutes: 8,876.20 lbs of sulfur dioxide and 354.90 lbs of propane, in violation of 30 Tex. Admin. Code § 116.715(a), Air Permit No. 39142, Special Condition No. 1, and Tex. Health & Safety Code § 382.085(b). Since the emissions event was avoidable Valero was unable to meet the demonstration criteria for an affirmative defense under 30 Tex. Admin. Code § 101.222.
- 8. As evidenced by Finding of Fact No. 7, Valero at Plant 2 failed to prevent unauthorized emissions during a March 4, 2007 emissions event in the Sats Gas Unit. Specifically, during the March 4, 2007 emissions event the following unauthorized emissions from Flare Nos. 2 and 3 over a period of 17 hours and 44 minutes: 10,139.40 lbs of sulfur dioxide, 984.80 lbs of carbon monoxide, 476.10 lbs of propane, 122.70 lbs of nitrogen monoxide, 109.90 lbs of hydrogen sulfide, 81.20 lbs of butane, 56.70 lbs of isopentane, 53.80 lbs of ethylene, 10.6 lbs of nitrogen dioxide, 5.6 lbs of butene, and 2.9 lbs of trans-2-butene, in violation of 30 Tex. ADMIN. Code § 116.715(a), Air Permit No. 39142, Special Condition No. 1, Tex. Health & Safety Code § 382.085(b). Since the emissions event was avoidable Valero was unable to meet the demonstration criteria for an affirmative defense under 30 Tex. ADMIN. Code § 101.222.

- 9. Pursuant to Tex. Water Code § 7.051, the Commission has the authority to assess an administrative penalty against Valero for violations of state statutes within the Commission's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
- 10. An administrative penalty in the amount of one hundred eight thousand nine hundred dollars (\$108,900.00) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in Tex. Water Code § 7.053. Valero paid fifty-four thousand four hundred fifty dollars (\$54,450.00) of the administrative penalty. Pursuant to Tex. Water Code § 7.067, fifty-four thousand four hundred fifty dollars (\$54,450.00) of the administrative penalty shall be conditionally offset by Valero's completion of a Supplemental Environmental Project (SEP) as defined in Attachment A, incorporated herein by reference. Valero's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.

ORDERING PROVISIONS

NOW, THEREFORE, THE TCEQ ORDERS THAT:

1. Valero is assessed an administrative penalty in the amount of one hundred eight thousand nine hundred dollars (\$108,900.00) as set forth in Conclusion of Law No. 10. The payment of this administrative penalty and Valero's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "Texas Commission on Environmental Quality" and shall be sent with the notation "re: Valero Refining-Texas, L.P., Docket No. 2007-1813-MLM-E" to:

Financial Administration Division, Revenues Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

2. Valero Plant 1 shall undertake the following technical requirements:

- a. Within 30 days after the effective date of this Agreed Order, Valero shall submit a letter describing to the TCEQ how the excess storm water in Tank 100 was managed.
- b. Within 60 days after the effective date of this Agreed Order, Valero shall submit a written report, evaluating the soils in the secondary containment area around 109 to determine if remediation is necessary. If the report determines that remediation will be required the remediation shall be conducted under the Texas Risk Reduction Program rules in Chapter 350 of the Texas Administrative Code. The report shall be prepared by a registered professional engineer of geologist and be submitted to:

Manager, Waste Section Corpus Christi Regional Office NRC Building, Suite 1200 6300 Ocean Dr., Unit 5839 Corpus Christi, TX 78412-5839

With a copy to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

c. Within 75 days after the effective date of this Agreed Order, submit written certification as described below, and include any detailed supporting documentation including photographs, receipts, and/or other records needed to demonstrate compliance with Ordering Provision 2.a. through 2.b. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for the obtaining the information. I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

With a copy to:

Manager, Waste and Water Sections Corpus Christi Regional Office NRC Bldg., Ste. 1200 6300 Ocean Drive, Unit 5839 Corpus Christi, TX 78412-5839

- 3. The provisions of this Agreed Order shall apply to and be binding upon Valero. Valero is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant 1 and Plant 2 operations referenced in this Agreed Order.
- 4. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by Valero shall be made in writing to the Executive Director. Extensions are not effective until Valero receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
- 5. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that Valero has not complied with one or more of the terms or conditions in this Agreed Order.
- 6. This Agreed Order shall terminate five years from its effective date or upon compliance with all terms and conditions set forth in this Agreed Order, whichever is later.
- 7. This Agreed Order, issued by the Commission, shall not be admissible against Valero in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.

- 8. This Agreed Order may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreed Order may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
- 9. Under 30 Tex. ADMIN. Code § 70.10(b) and Tex. Gov't Code § 2001.142, the effective date of this Agreed Order is the date of hand-delivery of the Order to Valero, or three days after the date on which the Commission mails notice of the Order to Valero, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission	
Johnson Philie	6/12/2009
For the Executive Director	Date
authorized to agree to the attached Agreed Orde Plant 1, indicated below my signature, and I do	I the attached Agreed Order. I represent that I am er on behalf of the entity, Valero Refining-Texas, L.P. agree to the terms and conditions specified therein. I thing payment for the penalty amount, is materially
failure to timely pay the penalty amount, may: A negative impact on Valero's complia Greater scrutiny of any permit applicate Referral of this case to the Attorney additional penalties, and/or attorney fee Increased penalties in any future enforce	ance history; ions submitted by Valero; y General's office for contempt, injunctive relief, es, or to a collection agency; cement actions against Valero; aral's Office of any future enforcement actions against
In addition, I understand that any falsification opposedution.	of any compliance documents may result in criminal
Henns ar	5/7/09 Date
Signature	-
Henris Payne	V.P.
Name (Printed or typed)	Title
Authorized representative of Valero Refining-	Lexas L.P. Plant]

For the Commission

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Johnson Kirline 6/12/2009
For the Executive Director Date
I, the undersigned, have read and understand the attached Agreed Order. I represent that I am authorized to agree to the attached Agreed Order on behalf of the entity, Valero Refining-Texas, L.P., Plant 2 indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.
 I also understand that my failure to comply with the Ordering Provisions in this order and/or my failure to timely pay the penalty amount, may result in: A negative impact on Valero's compliance history; Greater scrutiny of any permit applications submitted by Valero; Referral of this case to the Attorney General's office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency; Increased penalties in any future enforcement actions against Valero; Automatic referral to the Attorney General's Office of any future enforcement actions against Valero; and TCEQ seeking other relief as authorized by law.
In addition, I understand that any falsification of any compliance documents may result in criminal
Moriain Avainer 5/2/2009
Signature Date
- Adrian Araiza Manager, Environmental Affairs
Name (Printed or typed) Title θ
Authorized representative of Valero Refining-Texas, L.P., Plant 2

Attachment A Supplemental Environmental Project

Attachment A Docket Number: 2007-1813-MLM-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:

Valero Refining-Texas, L.P.

Penalty Amount:

One hundred and eight thousand nine hundred dollars (\$108,900)

SEP Offset Amount:

Fifty-four thousand four hundred and fifty dollars (\$54,450)

Type of SEP:

Pre-approved

Third-Party Recipient:

Keep Texas Beautiful Texas Waterways Cleanup Program

Location of SEP:

Galveston County

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset the administrative Penalty Amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Offset Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

A. Project

The Respondent shall contribute the SEP Offset Amount to the Third-Party Recipient named above. The contribution will be to *Keep Texas Beautiful* for the *Texas Waterways Cleanup* project in Galveston County as set forth in an agreement between the Third-Party Recipient and the TCEQ. Specifically, SEP funds will pay for the labor and disposal costs associated with cleanup of waterways, by supplying project coordination, labor, supplies, and materials. SEP funds shall be limited to the actual direct costs for the specific purposes necessary to meet the requirements of the SEP and no portion of the SEP funds will be spent on administrative costs. Cleanups may be coordinated with waste collection facilities and/or local governments to employ heavy machinery for the removal of large waste items. To the maximum extent possible, cleanups shall be accomplished with the use of volunteers from community groups, private companies, schools, and youth organizations. SEP Funds may be used for activities. This project will be administered in accordance with federal, state, and local environmental laws and regulations.

The Respondent certifies that there is no prior commitment to do this project and that it is being performed solely in an effort to settle this enforcement action.

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by removing unauthorized trash dumps and providing for the proper disposal of debris and waste, reducing the potential health threats associated with illegally dumped wastes, helping rid communities of hazardous contaminants that may leach into the soil and water.

C. <u>Minimum Expenditure</u>

The Respondent shall contribute at least the SEP Offset Amount to the Third-Party Recipient and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Offset Amount to the Third-Party Recipient. The Respondent shall mail a copy of the Agreed Order with the contribution to:

Keep Texas Beautiful Attention: Anne Cunic, Affiliate Services Manager 1524 South IH-35, Suite 150 Austin, Texas 78704 P.O. Box 2251 Austin, Texas 78768

3. Records and Reporting

Concurrent with the payment of the SEP Offset Amount, the Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Offset Amount to the Third-Party Recipient. The Respondent shall mail a copy of the check and transmittal letter to:

Litigation Division
Attention: SEP Coordinator, MC 175
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP Offset Amount and submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the SEP Offset Amount. In the event of incomplete performance, the Respondent shall submit a check for any remaining amount due made payable to "Texas Commission on Environmental Quality" with the notation "SEP Refund" and the docket number of the case, and shall send it to:

Texas Commission on Environmental Quality Office of Legal Services Attention: SEP Coordinator, MC 175 P.O. Box 13088 Austin, Texas 78711-3088 Valero Refining-Texas, L.P. Agreed Order Docket No. 2007-1813-MLM-E Attachment A

5. Publicity

Any public statements concerning this SEP made by or on behalf of the Respondent must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

6. Clean Texas Program

The Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP identified in this Agreed Order has not been, and shall not be, included as a SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.